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Military Support to Domestic Law Enforcement Agencies:

A Policy With Unintended Consequences

by

Lieutenant Colonel Edward E. Stelzer
USAWC Army SSC Fellow
Drug Enforcement Administration, Washington, D.C.

Colonel Steven A. Raho III
USAWC SSC Fellowship Program Director

U.S. Army War College
Carlisle Barracks, Pennsylvania 17013

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ABSTRACT

AUTHOR: Edward E. Stelzer (LTC), USARNG

TITLE: Military Support to Domestic Law Enforcement Agencies: A Policy With
Unintended Consequences

FORMAT: Fellowship Research Project

DATE: 1 June 1996 91 PAGES UNCLASSIFIED

When President Bush signed the National Defense Authorization Act of 1989, he agreed to a policy change instituted by Congress which required the Department of Defense to provide counterdrug support to domestic law enforcement agencies. During the intervening years, domestic law enforcement has come to depend on this support, and the support has become a force multiplier for these agencies. This policy inquiry was undertaken to specifically determine the effect, if any, the reduction of operational support would have on domestic law enforcement agencies. What the inquiry revealed was a much greater reliance on the support than was initially suspected.

Acknowledgment

This research began as an idea for a U.S. Army War College Fellowship research requirement. The research topic was approved by the Drug Enforcement Administration, the fellowship sponsor. The research project was also approved by the Center For Public Administration and Policy at Virginia Polytechnic Institute and State University (Virginia Tech) where I am doing post-graduate work in connection with the fellowship.

Several fellow students became interested in the research and asked to join in the research in conjunction with their study of public policy. Recognition is due Ralph Carver who designed the databases which assisted greatly in the organization of survey data, Mary Look for her data analysis, Lesley Lundquist for her research on drug demand reduction, Lisa Montagna for her research on The Posse Comitatus Act, Colleen Woodard for her legislative research, and Jim Andrews for obtaining some of the micro-level budget data..

Colonel William J. Fennell, Jr. provided invaluable assistance to the project, especially during the design of the survey questionnaire. Special recognition is due my wife Janice, who not only put up with my long hours researching and reading but also used her editing skills to contribute greatly to the quality of this paper.

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Introduction

On September 29, 1989, President Bush signed into law the National Defense Authorization Act of 1989. In so doing, he substantially broadened the military's role in the domestic counterdrug effort. This law authorized the Department of Defense (DoD) to provide direct operational support to domestic drug law enforcement agencies (DLEA). This change in policy had an effect not envisioned by the members of Congress when they debated expanding the military's role into this arena.

This paper explores the development of the National Drug Control Strategy, the policy of committing the military to support this strategy, and the consequences of this commitment. This policy inquiry was undertaken to specifically determine the effect, if any, the reduction of military operational counterdrug support would have on domestic law enforcement agencies. What the inquiry revealed was a much greater reliance on the military support by domestic law enforcement than was initially expected by the author.

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Development of a National Drug Control Policy

The Federal Role

Since the passage of the first federal narcotic control legislation in 1914, The Harrison Act, many state and federal laws have been passed in an attempt to stop the use of narcotics and other dangerous drugs by the American people (Musto, 1987). Extensive studies “and findings accumulated over 50 years have consistently shown high crime rates among drug abusers and high drug-use rates among offenders” (Anglin, Hser, and Longshore, 1994, p. 19). The perception of a crisis situation by the public facilitated the placement of the drug problem on the national agenda during Ronald Reagan’s first term in office. Partisan politics aside, the pressure was great enough to force the government to respond to the concerns of its constituencies.

Drug use is influenced by a large number of variables, including social, etiologic, economic, demographic, and political factors. Research has shown that drug use and drug-related or drug-influenced behavior are detrimental to society. (Anglin et al., 1994, pp. 19-27; Annan and Skogan, 1994, pp. 129-130; Benson and Rasmussen, 1994, pp. 29-37, 93-118; and MacKenzie, 1994, p. 3) It is often difficult to determine to what degree changes in counterdrug policies reduce drug use; however, federal, state, and local governments must respond to this challenge. Most Americans expect the government to formulate counterdrug policies and to take counterdrug actions, just as they expect the government to protect its citizens from other threats. At a minimum, having a national counterdrug policy and a national counterdrug coordinating body play a symbolic role in our society.

The federal government’s response to this expectation was to enact legislation to attack drugs and crime. Congress passed a massive crime bill in 1984 and an anti-drug bill in 1986; but

following increasing accounts of drug use and crime, pressure continued on the federal government for an even stronger drug control policy. Illegal drugs became a major issue during the 1988 election campaign. (Congress and the Nation, 1993)

Hank Marsden (personal communication, April 10, 1996) said a 1989 New York Times poll showed that 60 to 65% of the American people claimed drugs as the nation's primary policy problem. In response, Congress enacted several major pieces of legislation: the 1988 Anti-Drug Act, the 1989 International Narcotics Control Act, and the National Defense Authorization Act of 1989 (FY89 Act). The first created the Office of National Drug Control Policy (ONDCP), the second expanded anti-drug efforts in source countries, and the third directly expanded the military role in supporting law enforcement in interdiction and in domestic supply reduction.

The ONDCP and Current National Strategy

The ONDCP is the executive branch agency responsible for coordinating the federal control of illegal drugs. The director of the agency is a member of the President's cabinet and is commonly referred to as the *drug czar*. A common misconception is that the agency controls all federal funds relating to the counterdrug effort. In reality, the ONDCP has, at best, a limited ability to directly influence the federal drug control budget due to the way Congress funds the executive departments. What the ONDCP can and does do is make policy and develop the national strategy.¹

¹ This is not to imply that the ONDCP has no other powers. The drug czar is a cabinet member and, depending on his or her influence with the President, can cause discretionary funds to be shifted within the budgets of other departments (Hank Marsden, personal communication, April 10, 1996).

The approach shown in Figure 1 depicts the basic strategy used by the ONDCP “to reduce drug use and its consequences” (1996a, p. 7). This approach suggests a definitive split between supply reduction and the demand reduction activities of prevention and treatment. It is important to understand that this dichotomy is artificial and misleading for three reasons. First, the National Drug Control Strategy takes a holistic approach to what Dunn (1994) describes as a metaproblem.² One must recognize that in times of budget austerity a change in any part of the equation affects the remaining parts. Second, as the model in Figure 1 suggests, the three approaches are balanced on a fulcrum supported by a political, institutional, and social coalition. The stability of this coalition is questionable at best because each foundation block is beset by its own internal pressures which influence policy.

² According to Dunn (1994) a metaproblem is “a problem-of-problems that is ill structured because the domain of problem representations held by diverse stakeholders seems unmanageably huge” (p. 148).

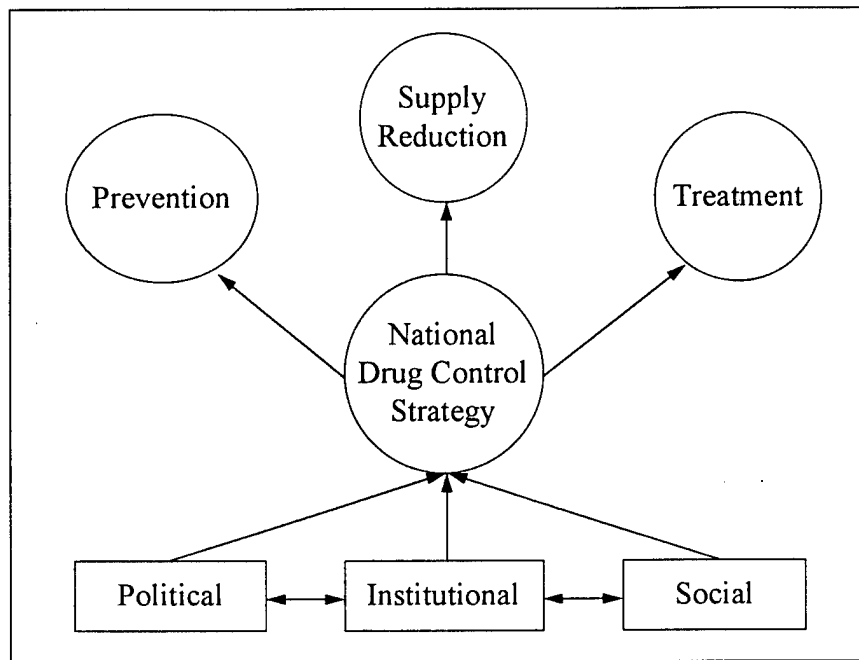


Figure 1. National policy approach

Third, the demand reduction activities of treatment and prevention can be performed and supported by both the public and private sectors. As a result, these efforts become *shared responsibilities* from both a financial and operational perspective, and state and local governments, private coalitions, schools, churches, community organizations, and individual citizens work together for their continued support (ONDCP, 1996b). On the other hand, by law, supply reduction efforts are inherently government functions, and a certain number of these functions, such as border control and international programs, can only be performed by the federal government. Thus, supply reduction is subject to the volatility and uncertainty of the short-term strategy of the federal budget.

Commitment of the Military

The DoD's involvement in domestic supply reduction spans a relatively short period of time, Fiscal Year 1989 (FY89) to the present, FY96. This study began with a focus on the effect of reducing military support to domestic law enforcement but evolved into a more subtle analysis of the change in domestic law enforcement's institutional capacity. This section examines the political and institutional contexts surrounding:

- the history of the Congressional policy decision to direct the military to provide operational support to domestic law enforcement supply reduction efforts,
- the DoD's role in the implementation of the policy,
- law enforcement's response to the new DoD role, and
- the changing nature of the relationship between the DoD and law enforcement.

Congress and the Military

Political, institutional, and social pressures in the U.S. combined in the early 1980s resulting in a call for increased efforts to counter the use of illegal drugs. This led to the federal government's expansion of efforts to interdict illegal drugs before they reached points of entry into the United States. Since the military's national security mission includes tracking and monitoring unknown planes and vessels entering U.S. territory, it seemed only natural for the military to provide law enforcement with information it already possessed on aircraft and vessels that might be involved in the illegal transport of drugs. To aid this process, Congress gradually expanded the authority of military forces to assist civilian law enforcement agencies. For example, it allowed and encouraged Coast Guard officers, who have arrest powers, to be stationed on Navy ships. This brought tremendous power to bear on smugglers both by

increasing the number of ships available to perform a law enforcement mission and through intimidation, since few illegal drug traffickers were foolish enough to resist boarding by the Coast Guard-supervised crew of a U.S. Navy warship. Further, additional legislation permitted military units to share intelligence with law enforcement agencies concerning ship and plane movements.

(Congress and the Nation, p. 322)

Building on these early successes, in 1986 Congress began to study the feasibility of expanding the military's role in the counterdrug effort. Some members of Congress, including Senator Bob Dole (R-KS) and Education Secretary William J. Bennett, called for a more active and direct role by the military in an effort to stop the flow of illegal drugs into the country. Then Secretary of Defense, Frank C. Carlucci, strongly opposed any mission that would expand the military's role and make it more active in law enforcement. The military's strongest argument against an expanded role was again the mission's impact on military readiness (Services Balk, 1986; Defense Secretary Opposes, 1988; Congress and the Nation, 1993). Representative Dick Cheney (R-WY), was championing the expansion of military involvement on the domestic counterdrug front (Morrison, 1992, p. 267); but when the FY86 House amendment to the defense bill called for an expanded military role, Senator Sam Nunn (D-GA) practically laughed the bill off the Senate floor. (Congress and the Nation, p. 322)

Continued pressure for military counterdrug support resulted in the FY89 Act, which substantially altered the military counterdrug role in both interdiction and domestic law enforcement support. During the drafting stage, House Armed Services leaders Les Aspin (D-WI) and William Dickinson (R-AL) tried to keep drug-related amendments off the defense bill, but conservatives successfully pushed for inclusion. In the light of national political pressure to

address the drug problem, Senator Nunn was forced to alter his earlier position and compromise on military involvement in anti-drug policies. (Congress and the Nation, p. 322)

The FY89 Act set three primary support roles for DoD:

- Act as the lead agency for detection and monitoring of aerial and maritime transit of illegal drugs.
- Become the integrator of command, control, communications, and intelligence dedicated to anti-drug activities.
- Provide funding support for Governors' plans for use of the National Guard in support of law enforcement in the states, territories, and the District of Columbia.

The National Defense Authorization Act of 1989

Since the FY89 Act is the policy decision that sits at the crux of the institutional change issue, it is important to take a look at the legislative history for some understanding of Congressional intent and the military response. The Congressional conferees agreed that "DoD can and should play a major role in the national interdiction effort. Drug abuse has an increasingly corrosive effect on our society, and it is imperative that we substantially increase our national effort to meet this challenge. The conferees have developed a program that will significantly increase the role of the armed forces in an effective and responsible manner" (H. Conf. Rep. No. 100-989, 1989, p. 2575).

The legislation also clarified the role of the active duty military under Title 10, United States Code (USC). The revision of chapter 18 of Title 10 expands "the opportunities for military assistance in a manner that is consistent with the requirements of military readiness and the historic relationship between the armed forces and civilian law enforcement activities. [DoD is to consider], to the maximum extent possible, the needs of civilian law enforcement officials when

planning and executing military training or operations. Examples include scheduling training exercises using night vision devices in border areas, conducting photo-reconnaissance training missions ... for aerial surveillance of potential marijuana fields, and similar activities" (p. 2578). The DoD can make available to civilian law enforcement "any equipment (including associated supplies or spare parts), base facility, or research facility for law enforcement purposes" (p. 2578) and can train and advise civilian law enforcement officials "in the operation and maintenance of equipment, ... scientific analysis, translations, and assistance in strategic planning" (p. 2579). With respect to the funding of the Governors' plans, the National Guard role in supporting law enforcement at all levels, but especially at the local levels, was sanctioned and formalized. "It is the intent of the conferees that priority be given to those plans which (a) involve areas of the greatest need in terms of drug interdiction and (b) are most likely to be effective" (p. 2583).

The conferees also pointedly addressed the concerns detractors had for military preparedness. They said that military support may not be provided if it "will adversely affect the military preparedness of the US." The legislation is "not intended to establish the DOD as a source of free supplies and manpower that can be tapped by other agencies without any form of accountability. ... [However,] reimbursement is not required when the support is provided in the normal course of military training or operations" (p. 2582).

Finally, Congress, through this Act, also directed the military to specifically purchase and use certain equipment for the counterdrug efforts, especially radar and modified aircraft.

Posse Comitatus

The fact that Congress wanted a greater federal involvement in the attempt to control the use and trafficking in illegal drugs was nothing new. Hawkins and Zimring (1992) found that

federal involvement in drug law enforcement has increased over the years, and “recent efforts of federal agencies to set national-level drug policy ... are not innovations” (p. 162). What was innovative was the use of the military in this effort. Using the military in a counterdrug role was innovative because of The Posse Comitatus Act (PCA), (18 USC Section 1385). It is important that one understand the PCA and how it relates to military support because it has a direct bearing on the type of support a law enforcement agency can receive from the military. Of particular importance is the difference between federal forces and state forces, i.e., National Guard, since the PCA does not apply to state forces under the command and control of the governor.³

Unanswered Questions

Several questions still remain unanswered after reviewing the legislative history. Was it really necessary to pull the military into the counterdrug effort? Did Congress consider the potentially magnifying institutional effect that decision might have on law enforcement at one or more levels? Research for this project did not reveal any specific statement in the record answering these questions; however, the research does indicate that under pressure to respond in a very visible way to the drug and crime problem, the Congress saw how the use of the armed forces would satisfy several needs: the military analogy properly fit the drug war image; the vast military resources of personnel, procurement authority, skills and equipment would be an

³ The PCA was passed in 1878 as a result of the way federal troops were used in the South during Reconstruction. The PCA prohibits the use of the Army and Air Force to enforce civilian law except as specifically authorized by statute (Abel, 1990; Boschee, 1985; and Sanchez, 1991). While the Navy is not covered by the PCA per se, its “provisions have been adopted by Navy regulation” (Simms, 1979, p. 4). Even though the PCA does not apply to state military forces, the National Guard is subject to state laws and regulations promulgated by the National Guard Bureau (Rich, 1994, pp. 42-43), which has generally adopted PCA standards for their conduct. For statutory authority allowing military support to DLEA see H. Conf. Rep. No. 100-989, 1989, pp. 2580-2582.

immediate infusion of resources into the problem requiring only limited additional funding; the National Guard was already located in communities across the nation and could provide new assistance at the local levels; and law enforcement agencies did not have the funding, infrastructure, or platforms required to exponentially increase their levels of operation in any reasonable time frame.

At the same time, should the drug problem become less of a national issue, reduction of military participation would be far easier than dismantling law enforcement bureaucracies or maintaining unneeded levels of operations. There was no evidence found during this research effort that indicates Congress (or anyone else) considered (or is now considering) the policy impact of the expansion of law enforcement's performance capability with resources outside of their control. Neither is there any reference to a need expressed on behalf of law enforcement to expand the military role.

The Military Response

Prior to 1991, the senior leadership of the U.S. military, except for the National Guard, was reluctant to get involved in counterdrug support. The FY89 Act had directed the DoD to take the lead in notifying law enforcement as to what services they had to offer. Bush's new Secretary of Defense, Richard Cheney, ordered the military leadership "to begin drafting their antidrug war plans" (Congress and the Nation, 1993, p. 322; Brown, 1991-1992; Mendel, 1992). But even so, the DoD did not act fast enough to please Congress; the legislative history for The Defense Authorization Act of 1990 contains criticisms of the DoD's lack of aggressiveness in the drug support effort:

In assigning significant responsibilities for drug interdiction and law enforcement support to the DOD, the committee affirms that the military of the US is a national asset that must be utilized as part of our effort to address this threat to our society and national security. The military of the US has resources that can and must be utilized now – and this can be done in a way consistent with our public policy of not involving the military in direct law enforcement. It is clear that extensive duplication of effort, non-coordination of activities and interagency turf battles are still taking place. ... It is a waste of a valuable law enforcement asset for a Customs officer to be tied down to a radar screen or to operate a long-range surveillance airplane. The military can and should do that kind of job. (H. Conf. Rep. No. 101-121, 1990, p. 936)

The military supports law enforcement in a variety of ways, from lending equipment to National Guard inspection of cargo, from Civil Air Patrol marijuana crop-surveillance flights to the detail of attorneys to assist the DOJ in the prosecution of drug cases in the DC. More can and must be done. The committee believes that the Department is willing to do more but, at the same time, the committee does not see an aggressive seeking out of ways to help.... The Guard program of assisting Customs in the inspection of cargo at land, sea and air ports of entry – a resounding success with no adverse public reaction – should be extended to active duty and reserve forces as well. This program can be expanded within the US without directly involving military personnel in law enforcement confrontations with citizens. (p. 941)

By the end of 1989, military leaders began to change their minds about DoD involvement in an expanded counterdrug role. Jehl and Healy (1989) reported that some senior military leaders came to see the counterdrug mission as a way to moderate pending reductions in defense spending. Instead of arguing against increased involvement, senior leaders began proposing methods in which the military could be most effective.

Colonel William J. Fennell, Jr., senior DoD liaison officer to the Drug Enforcement Administration (DEA) (personal communication, April 19, 1996), explained some of the military's early reluctance. The military has a long history of working with law enforcement, as appropriate under both institutions' missions. Part of the military's hesitation to become more involved in counterdrug activities seemed to stem from the DoD's concern that law enforcement support was

contrary to the normal military-style missions of *detect, intercept, and destroy*. A mission that requires the military to detect and monitor and then turn the information over to law enforcement for subsequent action is counter to military institutional culture and training. In addition, active duty military leadership at the time was greatly concerned with the potential conflict inherent in the Congressional mandate to support counterdrug activities, but not to interfere with military readiness to fight the next war.

The military readiness factor continued to play a major role in limiting DoD support. There are many examples in which the military had to alter its counterdrug support to DLEA in the 1990s. One such incident involved the crash of an Airborne Warning And Control Systems (AWACS) aircraft. The U.S. has a limited number of these aircraft; so when one crashed in Alaska, the military had to pull the AWACS from California that was being used in support of counterdrug activities. This created a void in counterdrug support as there was no replacement aircraft to support the counterdrug effort. Another incident occurred during the Persian Gulf war when ships supporting counterdrug missions in the Caribbean Sea were temporarily withdrawn for Gulf War support. (Mabry, 1994, p. 121)

There is little doubt from the legislative history or the historic military mission that counterdrug activities are secondary to military preparedness and national security. However, Colonel Fennell indicated that the military did begin seeing some benefit for military preparedness inherent in counterdrug support. With the end of the Cold War and the cutting of military budgets generally, there has been a growing downward pressure on training dollars. Counterdrug support offered the opportunity to use drug-related funding to enhance military training activities.

The training benefits derived from supporting law enforcement help the military to prepare for its primary mission: to go to war. It is important for policymakers to remember that under

current policy, when the military does go to war, law enforcement will lose much if not all of DoD's support. Consequently, if law enforcement's institutional capacity has expanded as a result of military support, then it can be expected to rapidly contract at any time.

Department of Defense Support to Law Enforcement

By 1991 the military services began responding more enthusiastically to the Congressional mandate to increase their support to DLEA. At that time, Colonel Fennell (personal communication, April 19, 1996) pointed out the Secretary of Defense broadened DoD's role in support of domestic law enforcement to:

- Provide military personnel to law enforcement agencies to perform liaison, training, and planning.
- Provide military personnel to train supervisors in state and local rehabilitation training centers, i.e., boot camps for the rehabilitation of first-time offenders.
- Provide training in languages, planning skills, logistics, communications, tactics, equipment operation and maintenance, and intelligence.
- Expand the use of military dogs and dog handlers to support DLEA cargo inspections.
- Establish regional logistics support offices to coordinate equipment requests.

The National Defense Authorization Act of 1991 broadly categorized military support into three programs: the section 1004 program for technology and services, the section 275 program for people, and the section 1208 program for equipment and materiel. Operational support, which is assistance directly related to an ongoing law enforcement investigation, is the type of support addressed in this paper. A brief explanation of each program as well as detailed operational support descriptions are in Appendix A, Categories of Support.

All the military services, active as well as reserve components, provide counterdrug support. Most of the support is provided in an active, federal status; however, the National Guard through

the Governors' State Plans provides support in a non-federal status. The National Guard traditionally performs law enforcement functions under the direction of the Governors. The FY89 Act provided federal funds for drug enforcement activities of the Guard while in state duty status.

Data documenting specific instances and levels of domestic counterdrug support by the military in specific categories are difficult to obtain. However, Table 1 gives a macro perspective on the changes in levels of support. The data on Title 10 support came from the U.S. Army Forces Command (FORSCOM) Counterdrug Division (FORSCOM Staff Officer, personal communication, July 31, 1996). As one might expect, the levels of support fluctuate in relation to budget changes.

Table 1.

Changes in Support Levels

<u>Year</u>	<u>Title 10 Forces</u>	<u>National Guard</u>	
	<u>Missions^a</u>	<u>Flight Hours</u>	<u>Workdays^b</u>
FY89	n/a	20,493	149,449
FY90	38	49,729	532,449
FY91	305	41,101	875,513
FY92	509	48,239	1,092,319
FY93	620	53,116	1,420,513
FY94	773	39,133	1,287,590
FY95	760	37,273	1,151,300
FY96^c	503	39,680	1,101,000
FY97^d	n/a	43,995	1,083,000

Source: ONDCP, 1996b; FORSCOM, 1996

^a FY89 data has been archived and is not readily available.

^b Total days on duty by all personnel performing counterdrug support. ^c As of July 31, 1996 for Title 10 and estimated for

National Guard. ^d Projected figures from ONDCP.

Counterdrug Budgets

There are two important points to be made when discussing counterdrug funding. First, the amount of support available to domestic law enforcement is uncertain. It is subject to not only the allocation of funds by Congress but also to the allocations made by the policymakers at the

DoD's Office of Drug Enforcement Policy and Support (ODEP&S). Second, the amount of funding DoD receives in relation to the total amount spent on drug control is relatively small, but this dollar amount alone does not paint a complete picture. Not included in the budget statement are the DoD's sunk costs in equipment and trained personnel. Also not included are active duty military personnel funds; these, with the exception of the National Guard, are budgeted in the services' military personnel accounts and are not included in the drug program estimates. Nor do these budget amounts reflect support provided to law enforcement that is incident to military training or operations. (ONDCP, 1991).

Most discussions regarding funding do not capture the full cost or benefit of military support to law enforcement. In fact, during the research for this paper, no complete estimate for the full cost of military counterdrug support could be found in any one document. Further, if the support provided by the military could readily be bought, then all Congress would have to do is give the money to DLEAs through increased direct funding. Appendix B, Counterdrug Budget Data, contains information relating to the changes in amounts budgeted for domestic counterdrug support since 1991.

Evidence of Institutional Dependency

Value of Military Support

Anecdotal evidence is available from several sources as testimony to the value the military provides to domestic drug enforcement. One source is a study conducted by Booz-Allen & Hamilton, Inc. (1994) in which a representative of the National Park Service (NPS) said, "without DoD, NPS would have to shut down its counterdrug operations" (p. A-11). A representative of the Federal Bureau of Investigation (FBI) said of the military: "They bring unique equipment and personal experience into the equation that the Bureau either does not have, or else does not have enough [of] to meet mission needs" (p. A-5). Another source is letters sent from various law enforcement agencies to the National Guard. One such letter reads in part:

In reviewing our joint efforts in the field of drug enforcement for the last few years it is evident that without the continued support and assistance from the Oklahoma National Guard this agency and the State as a whole would lose a tremendous asset. Our working relationship has evolved to such an extent that with few exceptions the Oklahoma National Guard is included in our everyday fight against the illicit use of drugs as well as in narcotics trafficking investigations. (Oklahoma State Bureau of Narcotics and Dangerous Drugs, 1993)

One comment stands out that is representative of DLEA sentiment from around the country.

Military support is now an integral part of the way we do business. If it is removed from the process, we would lose much of our capability. DOD has saved the lives of three of my officers by giving us Kevlar helmets. I'm not sure what that's worth to the GAO in terms of effectiveness, but it makes a big difference to us. I know these men and I know their families. DOD made a significant difference here. (San Diego County Sheriff)

Additional comments are in Appendix C, Comments From Law Enforcement Officers.

While testimonies are plentiful, there are also complaints to be found, such as the problem with the limited length of assignments for active duty personnel and even a preference by some in law enforcement to be able to acquire their own staff rather than hoping the military will continue to be available for sufficient support. However, complaints are far fewer in number than testimonials.

Two Congressional staff members (personal communication, Mary Marshall, March 18, 1990, and Cord Stirling, April 18, 1996), the DoD Liaison to the DEA and the Acting Deputy Director for Supply Reduction at ONDCP concurred that law enforcement organizations at several levels would suffer a loss of capability if the military were to substantially reduce their role in counterdrug activities. Mary Marshall, staff member on the Senate Armed Services Subcommittee on Defense, acknowledged the states would love to have more National Guard support, especially the border states. Puerto Rico has been lobbying Congress for years to allow the Guard to move into known drug areas to reduce crime and drug distribution. In a memorandum to military service representatives, Deputy Assistant Secretary for Drug Enforcement Policy and Support Brian Sheridan stated that "requests from LEAs for DoD support continue to increase in number and scope, exceeding available resources in terms of funding and personnel" (1995, p. 4).

What Further Analysis is Required?

Anecdotal evidence at this point reveals that the law enforcement community has strongly expressed its desire for continued military support and its concerns about what reductions in support would mean to their counterdrug operations. Figure 2 depicts a model of the problem as perceived from the policy analysis to this point. The model suggests that the introduction of the

military as a resource enhancement for domestic drug law enforcement has created a new institutional capacity in the law enforcement community. Reduction or elimination of this new infrastructure needs to be specifically considered in policy decisions.

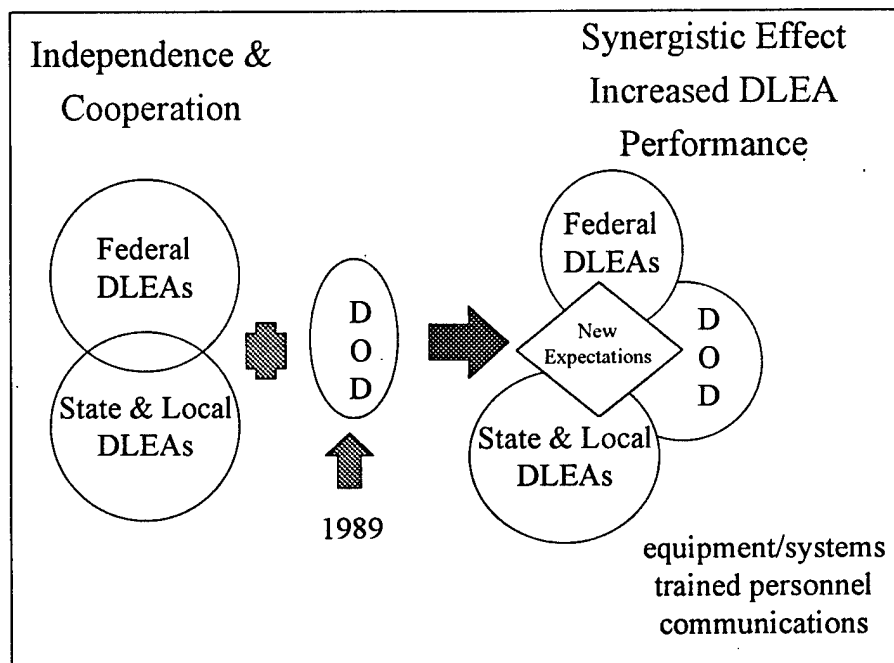


Figure 2. Increase in institutional capacity

Turning Point: Evidence of Dependency

It was evident from available data that domestic law enforcement was using DoD support; however, there were very little data available to indicate to what extent these DLEAs had come to rely on military support. The study which Booz-Allen & Hamilton, Inc. (1994) did for the DoD gave an indication of the importance of military support to law enforcement. However, this study consisted only of interviews of law enforcement officers at the headquarters of federal agencies and at the Miami, Los Angeles, and Southwest Border High Intensity Drug Trafficking Area

(HIDTA). It did not include the opinion of federal, state, or local officers in the field.

Also, the study was done in order to determine measures of effectiveness, not to assess the degree to which law enforcement had come to rely on military support.

In September 1994 an incident occurred which indicated that domestic law enforcement had indeed come to rely on military support. To understand the nature of the incident, one must have a basic understanding of the National Guard's constitutional role.⁴ The National Guard performs counterdrug support under the authority of applicable state laws and is funded by the DoD under the authority of Public Law 100-456. Section 1105 of the law requires that counterdrug support operations be "conducted at a time when personnel of the National Guard of the State are under the command and control of State authority and are not in Federal service;" (National Defense Authorization Act of 1989, p. 2047).

The incident occurred as a result of a controversy concerning the duty status of National Guard personnel while performing counterdrug support. A DoD attorney alleged that without clarifying legislation, there was a potential violation of The Antideficiency Act (31 USC Sec. 1341). The former director of the National Guard Bureau's Counterdrug Task Force, Colonel (Ret.) Kenneth J. Stilley (personal communication, April 24, 1996), said it was determined that

⁴ There is no "national" National Guard per se; there are, however, fifty-four National Guards, one in each state, each territory, and the District of Columbia. The National Guard is the nation's "...well regulated Militia ..." (Constitution, Amendment II). When not in federal service, the National Guard is a state militia under the control of each respective state or territory governor, or, in the case of the District of Columbia, a commanding general (all hereafter referred to as "states"). The National Guard may be called to active duty by the governor for the purpose of providing military support to civilian authorities, e.g., disaster relief, and to augment law enforcement in certain situations. The costs of the active duty service may be borne by the state or the federal government, depending on the nature of the duty performed. When paid by the state, the troops are commonly referred to as being on "State Active Duty." When paid by the federal government, they are referred to as being in a "Title 32" status (32 USC). In both

approximately 50% of the states would require new legislation in order to continue counterdrug support in a state active duty status. Transition to a new duty status would cause all counterdrug support to cease for four to six months, and in some states the program would be shut down for up to two years because their legislatures only meet every other year. When state counterdrug program managers learned of the potential change in status, they began notifying the National Guard Bureau (NGB) of the consequences of switching to a new duty status. They also began notifying DLEAs of the potential loss of support. (McCoy, 1994)

When law enforcement learned of the potential loss of support, Stilley (1996) said they reacted quickly. State and local DLEAs contacted their respective governors and congressional delegations with their concerns over the potential loss of support, and federal agencies raised the issue to the cabinet level. While the DLEAs were reacting, the DoD was attempting to get clarifying legislation inserted into an appropriations act that would allow the National Guard to continue the support without a change in status. According to an unnamed congressional staff member, the situation did not look good because the Congress was considering appropriations and the proposed amendment was authorizing legislation. However, the unified voice of law enforcement was not discounted. The authorizing legislation was passed (H. Res. 4650, 1994), and the Acting Director of the NGB (D'Araujo, 1994) notified all states that all counterdrug support to law enforcement would "continue as planned." Law enforcement's decisive and quick reaction and the timely results of their efforts indicated their desire for continued support and their ability to influence political events.

instances, they are under the command and control of the governor. For additional information on the legal basis of the National Guard, including duty status, see Rich, 1994, pp. 36-40.

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Concern Over Loss of Support

Assessment Plan

The Booz-Allen Hamilton, Inc. (1994) study, combined with the reaction to the possible loss of National Guard support, indicated that law enforcement had indeed come to rely on military support. Was military support adding to law enforcement's ability to conduct investigations? Had domestic law enforcement come to rely on military support to the extent that its withdrawal would have an adverse impact on its institutional capacity?

It was evident that additional research was needed before one could attempt to answer these questions. A plan was developed which consisted of three primary research methods. The first was a literature review to determine the national drug control strategy, how the military became involved, and the extent of its involvement. The second method consisted of a series of interviews of persons representing institutions which may have a stake in the military's involvement in the national strategy to control illegal drugs. The third research method was a survey of domestic law enforcement officers who had experienced military support while actually conducting counterdrug investigations.

Much effort went into the development of the survey methodology and design of the survey instrument. Throughout the survey design process, several individuals with experience providing counterdrug support were consulted, as was an individual experienced in developing survey instruments. The survey instrument was reviewed on several occasions by military counterdrug personnel and on at least three occasions by law enforcement personnel. The penultimate draft of

the survey instrument was sent to law enforcement officers in the field for a pre-test. After the pre-test, the survey was modified one last time prior to mailing. Detailed information regarding survey methodology, questionnaire design, and design flaws is at Appendix D.

Evidence of A Change In Institutional Capacity

“I think the military support has been critical, without the military support we would be back in what we call the dark ages. Without that support we would still be doing things separately, we would be having our own little turf battles, and we would not be working together.... So I think that without military support we are dead in the water...” [emphasis added]. These words, spoken during a personal interview on February 19, 1996, by Malcom Atwood, Director, Oklahoma Bureau of Narcotics and Dangerous Drugs, give an indication of the degree to which some agencies have come to rely on military support.

Question 6 of the survey instrument listed twenty-three categories of support.. Respondents were to rate each applicable category on importance, value, and response. Importance was used to measure the difficulty of obtaining the support elsewhere. The value scale was designed to capture information about how each category of support was valued by the recipient organization, and the response scale was used to indicate the frequency with which support requests were fulfilled. Thus, a particular category of support may be very valuable but also relatively easy to obtain from sources other than the military; other categories of support may be judged somewhat less valuable but available only from the military.

The mean scale score for each category of support was calculated, as were the frequency of reported use, the overall mean on the three scales, and the difference between the highest and lowest mean value on the three scales. The range of mean scores on a single measure was quite

limited; values ranged from 1.00 to about 2.8. The range of means across the three measures identified those categories that had the same relative importance, value, and response. A small value indicated that all three measures rated approximately the same; a larger value indicated some disparity among the three measures.

Intelligence analysts, aerial reconnaissance/observation, operational/investigative case support, infrared/thermal imagery or aerial photography, and cannabis suppression/eradication were cited as the five most frequently reported categories of support by both conference and mail survey respondents. Several of the categories of support with the lowest mean scores (i.e., categories rated most difficult to obtain elsewhere) were equipment such as unmanned aerial vehicles and air tracking radar. Mean scores for personnel support such as linguists/translators and communications support indicated that these categories were more easily obtained elsewhere. Although obtainable elsewhere, average scores for personnel support such as linguists/translators and aerial photo processing indicated that these categories of support were highly valued by the DLEA. Respondents also reported that requests for cannabis suppression/eradication and reconnaissance support were frequently or always filled.

An examination of the range of means for the three measures of categories of support showed that conference participants rated linguists/translators and communications support as extremely valuable but relatively less difficult to obtain elsewhere. Unmanned aerial vehicles were extremely difficult to obtain elsewhere but relatively less valuable. Air tracking radar was extremely difficult to obtain elsewhere and is considered quite to extremely valuable, but requests for this category of support were only sometimes fulfilled.

The limited range of scores precluded the need for statistical tests of significance of these data. These data do appear to confirm that both equipment and personnel support are important and highly valued by law enforcement. Mean scale scores on importance and value also appear to indicate that equipment is generally not available from sources other than the military, while services from intelligence analysts and translators are very valuable but are available from non-military sources. All but two respondents reported that their organization had benefited from receiving military support (Question 7).

Military Contribution to Law Enforcement Institutional Capacity

Question 8 on the survey form was directed at obtaining some insight into the effect of military support on the institutional capacity of DLEA. The mean scale score on the question of whether the organization was able to accomplish more using fewer internal resources was 1.60, and the standard deviation was 0.99. Respondents also moderately or decidedly agreed that there had been an increase in arrest and seizure statistics attributable to military support (mean = 1.87, sd = 1.06) and that there was increased efficiency of investigative personnel in the organization on those investigations where military support was used (mean = 1.75, sd = 1.02). Respondents moderately agreed that there was an increased number of investigative matters being handled per investigator in the organization (mean = 1.95, sd = 1.05).

The survey also asked about changes in the organization's budget as a result of military support (Question 9). Most respondents indicated that there had been no change in budget (mean = 2.84). This seems to indicate that military support is having very little effect on agency funding of the counterdrug effort, i.e., military support is being added to the agency effort rather than replacing it. When asked directly whether the respondent's organization had internal resources to

draw upon in the event that military support was eliminated, 90 of 124 respondents responded "No" (Question 11). The group best positioned to cope with an ending of military support is federal law enforcement; 15 of 54 federal respondents indicated that they would be able to turn to internal resources. Respondents in HDTAs were more likely to indicate that they had available internal resources than those who did not operate in HDTAs (32% compared to 26%).

The survey also asked about the effect on an organization's mission if the organization used other internal means for obtaining support similar to that obtained from the military (Question 12). There were 58 respondents to this question. Of the 58 respondents, 48 (83%) indicated that their mission effectiveness would be reduced in other areas. The other 10 (17%) of the respondents, six of which were federal DLEAs, indicated that mission effectiveness would not be reduced.

When asked about the specific consequences of the elimination of military support and the use of internal resources to maintain similar support (Question 13), the respondents decidedly agreed with the statements that "The organization does not have the equipment that the military can provide" (mean = 1.78, sd = 1.06) and the statement that "Some sworn officers/investigators will have to perform support duties instead of conducting investigations" (mean = 1.75, sd = 0.82). These results support the indication in Question 6 that certain equipment is available only from the military. While respondents seem to have indicated in Question 6 that certain types of support personnel were available elsewhere, their responses to Question 13 indicate that these personnel may not actually be used to replace military personnel. In other words, because of contracting or hiring difficulties, the agency would probably have sworn officers perform the support duties, if they were performed at all.

The mean scale scores on Question 13 for mail survey respondents were slightly but consistently lower (indicating greater agreement) than mean scale scores for conference respondents. The mail respondents agreed more strongly than conference participants that language translation (mean = 1.56, sd = 0.98 compared to 2.04, sd = 1.10 for conference respondents), analysis (mean = 2.16, sd = 1.29 compared to 2.29, sd = 1.05), and other support duties (mean = 1.69, sd = 0.93 compared to 1.82, sd = 0.67) would be affected.

These data, when considered with comments on the survey (See Appendix C) and in interviews, provide an indication that law enforcement organizations using DoD support have increased arrests and seizures, increased investigative efficiency, and increased the caseload of investigators while using fewer internal resources. This increase in institutional capacity to perform counterdrug activities has placed law enforcement organizations in a position where many report they cannot draw on internal resources to achieve similar results; if internal resources are used to replace resources now provided by the military, mission effectiveness in other areas would be reduced.

Evidence of Aviation Dependence

Domestic law enforcement uses military aviation in cannabis eradication and suppression operations, to make controlled deliveries, as general transportation support, and for aerial reconnaissance. The respondents to the research survey listed these categories of support as sixth, seventh, eighth, and nineteenth in importance of the twenty-three categories listed. Fifty-eight percent of the survey respondents decidedly agreed with the statement that military aviation support is preferred to contract aviation support, and another 10% said they moderately agreed with the statement. When asked why he preferred to fly counterdrug missions in military aircraft

rather than an aircraft operated by a commercial vendor, Richard Sexton, Commander, District 19 Narcotics Task Force, McAlester, OK, (personal communication, February 19, 1996) said, "I feel more comfortable with the pilots. I feel that they're trained to do this kind of work. I feel more confident about the equipment, the helicopter itself, because I feel like it's been maintained properly." One of the survey respondents wrote, "We only use aerial reconnaissance support. This type of support is not available from private businesses." (The businesses do not want to have their aircraft sabotaged or vandalized by marijuana growers.) See Appendix C, Comments From Law Enforcement Officers for additional comments.

Aviation support (see Appendix A for categories) was provided by military units in both Title 10 and Title 32 status. A staff officer (personal communication, July 31, 1996) with the FORSCOM Counterdrug Division reported military members in Title 10 (federal active duty) status flew a total of 415 aerial reconnaissance missions between October 1, 1989 and July 31, 1996. Table 2 shows the hours flown by Army National Guard aviation units in support of DLEAs for FY90 through FY95 as reported by the National Guard Bureau Counterdrug Directorate (NGB-CD).

Table 2.

Army National Guard aviation support

	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>	<u>FY93</u>	<u>FY94</u>	<u>FY95</u>
OH-58 Series	12,443	7,628	13,376	18,200	13,288	12,482
RAID aircraft				6,462	12,480	13,689
UH-1 Series	18,252	19,411	19,284	18,062	5,256	7,494
Sub-totals	30,695	27,039	32,660	42,724	31,024	33,665
Other aircraft:						
UH-60 Series	1,186	1,270	1,241	1,605	1,061	1,156
All others		5,106	5,463	1,778	1,190	583
Sub-totals	1,186	6,376	6,704	3,383	2,251	1,739
Totals	31,881	33,415	39,364	46,107	33,275	35,404

Note: RAID aircraft did not become operational until FY93.

Source: NGB-CD

During the period shown in Table 2, Army National Guard aircraft flew an average 36,574 hours per year in support of DLEA counterdrug efforts. About 15,000 marijuana eradication hours are logged each year by OH-58 aircraft. This does not include the approximately 18,000 hours flown each year by the seventy-six OH-58's modified to be used in counterdrug roles as part of Reconnaissance and Interdiction Detachments (RAID). The other 3,000 hours are flown by various helicopters in the Army National Guard inventory, with most flown in the UH-1 series aircraft.

Interviews and survey responses indicated a key concern among law enforcement officers at all levels is the loss of military aviation support because of the Army's Aviation Restructuring Initiative which is phasing the OH-58 helicopter out of the Army's aircraft inventory. Additionally, the Army is replacing its UH-1 "Huey" helicopter fleet with the UH-60 "Blackhawk" model. Law enforcement's main concern is the loss of flying hours resulting from

the additional operating costs of the Blackhawks and the decreased numbers of helicopters available due to the restructuring effort.

In the National Guard the number of OH-58's will be reduced from 568 to 54 by the end of FY97. The number of UH-1's will drop from 1,200 to 611 in the same period. While the National Guard is losing approximately 1,200 aircraft over the next eighteen months, it is estimated the number of UH-60's in the Guard will stabilize at about 500 aircraft. Forty-three states will be affected by the loss of OH-58 aircraft, resulting in a reduction or outright elimination of law enforcement aviation support from the National Guard.

Table 3.

Top marijuana eradication states by OH-58 hours flown

	FY90	FY91	FY92	FY93	FY94	FY95	Totals
North Carolina	3,984	1,478	3,096	1,975	1,265	1,100	12,898
California	1,617	151	1,810	2,535	1,316	2,498	9,927
Tennessee	1,013	1,522	752	1,240	1,497	1,521	7,545
Arkansas	820	450	693	2,013	999	850	5,825
Mississippi	1,066	710	464	1,499	835	900	5,474
Alabama	1,148	688	783	975	900	650	5,144
Oklahoma	696	451	856	836	716	485	4,040
Kentucky	1,648	475	600	714	273	300	4,010
Maryland	800	585	500	805	553	478	3,721
Florida	106	248	800	537	324	480	2,495
Totals	12,898	6,758	10,354	13,129	8,678	9,262	61,079

Source: NGB-CD

Table 3 shows the top ten marijuana eradication states based on the number of OH-58 flight hours. These ten states currently have 173 OH-58 aircraft in units scattered among the states. After the restructuring initiative, these same states will have a total of six OH-58's authorized, all of which will be in California. California currently has 31 aircraft assigned, which flew 2,498

hours as shown in Table 3 for FY95. This was an average of 80.6 hours per aircraft. If California's remaining six aircraft fly the same average 80.6 hours per aircraft, there will be a loss of over 2,000 hours of marijuana eradication flight hours in California. These 2,000 hours, coupled with over 6,700 hours lost in the other nine states, amount to over 8,700 hours of decreased marijuana eradication effort. While it may be feasible, it is not practical to expect RAID aircraft to make up this 8,700 hour shortfall. Using RAID aircraft to fly eradication missions would greatly reduce their availability for the thermal imaging missions for which they are designed. Additionally, the maximum flight time per RAID aircraft is limited to 250 hours per year due to maintenance constraints.

Besides the loss of aircraft, the other consideration is the difference in operating costs between the OH-58, UH-1, and UH-60 aircraft. Table 4 shows the increase in National Guard counterdrug operational costs if the UH-60 aircraft are used to fly the OH-58 and UH-1 hours lost when they leave the Army National Guard inventory.

Table 4.

Net change in operating costs with UH-60 aircraft replacing OH-58 and UH-1 Aircraft

	1995 Average Counterdrug Hours Flown Per Aircraft	Projected Number Of Aircraft To Be Removed From The Inventory	Estimated Hours Lost	Operating Cost Per Hour	Change In Total Operating Costs
OH-58	22	514	11,308	\$ 135.87	\$ (1,536,418)
UH-1	6	589	3,534	266.25	(940,928)
Cost avoidance from loss of OH-58 and UH-1 hours					\$ (2,477,345)
Cost for UH-60 to fly lost hours			14,842	\$1,220.55	18,115,403
Net increase in operating costs					\$ 15,638,058

Source: NGB-CD

At first glance it would appear that simply increasing the NGB-CD counterdrug budget by \$15,638,058 would solve the problem. However, it is not cost that drives the problem. With the force modernization and equipment change over, there will not be enough UH-60's in the Army National Guard to support the same level of flight operations as in FY95.

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Conclusion

Policy Effectiveness

The DoD does not currently have a system in place for measuring the effectiveness of the support the military provides to the DLEAs. Joint Task Force Six provides FORSCOM with periodic reports regarding DLEA support missions, and the states and territories periodically report to the NGB-CD. The ODEP&S is in the process of developing a management information system and will be requiring periodic reports in the future. The NGB-CD, in conjunction with the U.S. Army Missile Command, Redstone Arsenal, AL, has completed the development of a state-of-the-art relational database management system which will use telecommunications and data warehousing techniques to periodically gather counterdrug support information from each of the 54 states and territories. This system, fielded in May 1996, allows for the electronic transmission of data from the states to the NGB-CD data warehouse and then on to the ODEP&S.

In addition to identifying the lack of a DoD system for measuring the effectiveness of the support provided, the Booz-Allen & Hamilton, Inc. (1994) study concluded that the DoD also lacked a policy for prioritizing DLEA support requests. Shortly after the study was completed, Deputy Assistant Secretary Brian Sheridan (1995) established support priorities "to ensure that DoD provides effective support where it is most needed: . . ." (p. 5). Recent interviews and comments on questionnaires returned by law enforcement officers indicate that DoD agencies providing operational support are following Mr. Sheridan's guidelines.

What appears to be missing, however, is planning or prioritizing at the strategic level. The current research failed to disclose any formalized coordination or planning between the DoD and DLEAs on the issue of funding allocation among the DoD's five functional areas or on the

allocation of support funds to the states. For example, Morrison's study (as cited in Schnaubelt, 1994, p. 253) found that "out of the 6,729 suspected drug-smuggling aircraft that were detected by the DOD, law enforcement agencies pursued only 661." This statement may be misleading to some degree because, according to Mr. Richard Bly, Deputy Assistant Administrator for Investigative Intelligence, DEA (personal communication, March 21, 1996), law enforcement in many instances only wants to track suspect aircraft or ships to their final destination in order to follow the shipment of contraband into the distribution channel so they can make a case against a key individual or group. While DOD personnel are detecting large numbers of suspect aircraft, DLEAs are in need of assistance on the ground. Fineman and Pyes (1996) report drug smugglers are forcing American ranchers off their land along the Texas - Mexican border. The agent in charge of the Eagle Pass, TX Border Patrol office and the DEA's Houston Field Division, who is in charge of the section of border in question, state they do not have the manpower to cover the border properly. Better coordination with law enforcement on the use of limited DoD counterdrug resources appears to be needed.

It was the intent of the Congressional conferees that "to the maximum extent practicable, [the DoD was to consider] the needs of civilian law enforcement officials when planning and executing military training or operations" (H. Conf. Rep. No. 100-989, 1989, p. 2578) and to give funding "priority ... to those [state] plans which ... involve areas of the greatest need in terms of drug interdiction and ... are most likely to be effective" (p. 2583). Unless the DLEAs are consulted, the DoD cannot fulfill this Congressional mandate. An attempt to interview Mr. Sheridan or his deputy, Mr. Robert Newberry, was unsuccessful; however, one would think that the DoD and the DLEAs should coordinate closely at the strategic level if there is to be a coordinated national approach to the drug problem.

Environment of Uncertainty

The problem of an increased institutional capacity due to military support is greater in the uncertain environment in which the DoD and law enforcement agencies find themselves. Counterdrug support is an ancillary mission for the DoD; and the higher priority mission of national security will always take precedence over military support to law enforcement. Also, budget instability contributes to the uncertain environment. The annual budgeting process leaves law enforcement unable to plan for more than one year at a time (see Appendix B, Counterdrug Budget Data). In addition, many military support personnel are provided on short-term assignments of 179 days or less, which complicates efforts by DLEAs to achieve long-term results. Even though the National Guard is unable to fill specific slots, such as intelligence analysts, with individuals trained in that particular specialty, the DLEAs indicate they prefer National Guard support because they can stay with the agency for a year or more. However, this also contributes to uncertainty because it takes time to train a person to be an analyst. Due to the lead time required to properly train personnel and acquire mission critical equipment, the lack of joint strategic planning and the short-term nature of the military's role in the national drug control policy are of particular concern.

Why Prioritize Support To Domestic Law Enforcement

While there has been success in all the DoD counterdrug functional areas, support to domestic law enforcement must remain a priority. The current approach in the source countries and transit zones will hurt some of the producers and traffickers but will not seriously disrupt the flow of illegal drugs into the United States. In spite of the seizure of 303 metric tons of cocaine out of the estimated cocaine production of 820 - 855 metric tons in 1994, cocaine "was readily

available in all major U.S. metropolitan areas [and] cocaine purity remained relatively high and stable" (National Narcotics Intelligence Consumers Committee (NNICC), 1995, pp. 1-2). "Source country programs, whether they be crop eradication, crop substitution or refinery destruction, hold negligible prospect for reducing American cocaine consumption in the long-run" (Reuter, 1994, p. 217). "In the United States, heroin was readily available ... in all major metropolitan areas. The nationwide average purity for retail-level heroin in 1994 was 40.0 percent. ... Higher even than the 26.6 percent purity recorded in 1991" (NNICC, pp. 31-32). Reuter states, "the effort to control drug production overseas has generally been viewed as ineffective and perhaps even counterproductive, both for the producing nations and for U.S. diplomacy" (p. 209).

In addition to illegal drugs being brought into the country, the United States has an internal problem with the production of illegal drugs. "Marijuana remained readily available in the continental United States during 1994" (NNICC, 1995, p. 55). As this paper was being written, a major television network reported that U.S. marijuana growers have become so good at producing high-grade marijuana they are providing seminars on their growing methods in other countries. Also, clandestine laboratories producing methamphetamines are a growing problem. "Methamphetamine production, trafficking, and distribution was an increasing domestic drug threat, particularly in the western United States" (p. 71). A senior law enforcement intelligence officer (Anonymity promised, personal communication, March 18, 1996) said:

The U.S. is producing some of the best marijuana in the world. Marijuana grown in this country is being exported worldwide. Foreigners are saying we are not taking care of our in-house drug problems.

Methamphetamines are probably the hottest thing going right now. Key precursor ingredients are coming out of Mexico. Methamphetamines are cheaper to produce than heroin and, if [law enforcement] cannot stop the precursor chemicals, there will be a dramatic increase in their production and use. People looking to get

high are turning to methamphetamines because the high they produce lasts longer than a cocaine high, they are less expensive, and they are easier to acquire.

During a telephone conversation, Tony Bocchichio (personal communication, April 10, 1996), Special Agent-In-Charge of the DEA office in St. Louis, MO said that agents in his division are being overwhelmed by the growth in methamphetamine laboratories in his division. He is particularly concerned because users of methamphetamines are prone to violence because of the effects of the drug.

Law enforcement officers in interviews and in their survey responses have stated that military counterdrug support allows sworn officers to spend more time handling investigations instead of performing support tasks in the office. They also have stated the importance of aviation support to the domestic counterdrug effort. One only has to review the NNICC Report to realize that domestic law enforcement needs all the support it can get to hold the line against the use and trafficking in illegal drugs and the rising tide of violence associated with this use and trafficking.

As mentioned previously, supply reduction, because it is a law enforcement function, is inherently a government function. The demand reduction efforts of prevention and treatment are equally important components of the national strategy that can be performed by other than governmental institutions. It is doubtful that America will ever be drug free; therefore, young people must be taught the dangers of illegal drug use. Education and treatment are the long-term answers to drug abuse; however, the supply must be kept under control in the short-term to give these long-term approaches a chance to work. It is shortsighted to increase funding for demand reduction activities at the expense of supply reduction.

National Security

The production, sale, and use of illegal narcotics represent extremely serious national problems, principally because the use of drugs hurts the most important American national resource--people. As such, it should not be surprising that U.S. national leadership deemed illegal narcotics a threat to American national security. (Sanchez, 1991, p. 152)

Jordan, Korb, and Taylor (1989, p. 459) state that "much has been said about the core geopolitical value of Latin America to the United States." Foster (1992, pp. 83-84) writes that "antidemocracy, drugs, debt, and environmental degradation contribute to--and tend to have perhaps their most demonstrable and telling impact on--US security through the medium of immigration into the United States." To protect these national security interests, the United States has offered financial, law enforcement, and military assistance to the Andean nations and Mexico.

One cannot help but question the success of these policies when reading of current events. Burrell (1996) and Farah (1996) report that the president of Columbia took money from drug traffickers to help finance his presidential campaign, and Moore (1996, p. A1) reports that a former Mexican drug agent claimed "that the Mexican government's top crime-fighting organization was so corrupt that his own colleagues were escorting massive shipments of drugs to the U.S. border, serving as bodyguards for drug traffickers and misusing U.S. anti-drug funds." Beichman (1996) refers to Mexico as a "narco-democracy" that is "unwilling or, if willing, is unable to confront organized crime which specializes in drug production and trafficking, money laundering, kidnapping, arms smuggling, ...counterfeiting, [and]...assassination." Of even greater concern is the terrorizing of U.S. citizens, the corruption of U.S. officials, and the forcing of American landowners off their land. Ranchers along the U.S. - Mexican border report that:

Heavily armed Mexican drug gangs [are] terrorizing [them] in broad daylight as they smuggle record quantities of drugs and [illegal] immigrants through their property into the United States. Equipped with night-vision equipment, cellular telephones, border sentries and their own intelligence network, the smugglers have outmanned, outgunned and outplanned the U.S. Border Patrol, the Customs Service and the DEA at strategic points on the Rio Grande, particularly in Maverick County and its seat, Eagle Pass. They have threatened owners of riverfront property, forcing them to remain silent or even move out. (Fineman and Pyes, 1996).

It is evident from these news stories that drug traffickers are a threat to the national security of the United States, and the nation must take every available step within the law to stop them. The traffickers are well-organized, well-financed, and well-armed. Military support to DLEAs should continue because this is a national security issue.

Summary

The DLEAs have come to rely on the support they receive from the DoD. Because this support is so valued by DLEAs, an unintended consequence has been created by a policy that was only meant to produce results by utilizing existing DoD personnel and equipment. The DoD support to the DLEAs has become institutionalized, and anyone seeking to withdraw this support will likely draw significant negative criticism. The anecdotal evidence from the Booz-Allen & Hamilton, Inc. report (1994), the file of letters to the National Guard from law enforcement, the current interviews with a number of law enforcement officers at federal, state and local levels, and the results of the survey of law enforcement officers strongly support the value law enforcement places in DoD support and also shows that they have become dependent on this support.

Recommendations

Although many questions remain unanswered and additional research is needed, one fact is clear: drug law enforcement agencies, in many instances, have expanded their institutional

capacities as a result of military support. Action must be taken to ensure the long-term viability of this relationship. The following actions can be taken with minimal cost:

Strategic Planning. During the course of this research it was common to hear of law enforcement and military personnel meeting to plan for the use of scarce resources. This planning and working together appears to only be occurring at the operational level. It needs to occur at the strategic level so that the DoD and law enforcement can develop a joint strategic plan for using military support.

Aviation Support. Although DoD has never been tasked by Congress to provide exceptional support, that is, support outside its normal capabilities, it may be in the national interest to do so. The DoD should continue with the study started by the NGB-CD to determine the feasibility of adding counterdrug aviation units to the force structure, which will allow for the retention of a number of OH-58s to provide less costly aviation support to DLEAs.

Support to HIDTAs. The current policy of providing the preponderance of military support to the HIDTAs needs to be reviewed. Law enforcement agencies in non-HIDTA areas, especially in the western U.S., are faced with the growing problem of clandestine laboratories but often cannot get support because of DoD priorities. In addition to DoD's priority of support, the HIDTAs receive support from the ONDCP and other agencies. It seems the prudent course would be to review the current DoD HIDTA policy to determine if it is truly the best use of limited military counterdrug resources.

Intelligence Analyst/Linguist Support. The DoD should work with domestic law enforcement agencies to develop a procedure for prioritizing intelligence analyst and linguist support. Law enforcement agencies at all levels and in all areas of the U.S. need this support, yet

it is very difficult for state and local agencies to get assistance because of the demand from federal agencies. One federal law enforcement officer said, and others wrote in survey responses, that Congress funds federal agencies for agents but forgets about support staff. Another federal official said that when budget requests are prepared, analysts and linguists seldom appear as a priority. The DoD should coordinate with the federal DLEAs to ensure that military analysts and linguists are being used at high priority offices and that efforts are being made to replace military personnel with law enforcement support personnel whenever possible.

Congressional Liaison. The DoD, like all executive departments, has allies on various legislative committees (Gilmour and Siedman, 1986, p. 50). It is important that the ODEP&S be proactive in keeping these congressional allies informed as to the importance of military support to domestic law enforcement. The ODEP&S can use their new information system to generate informative reports for submission to the appropriate sub-committees. The DoD should commission a study to confirm the research presented in this paper. The study should include officers from state, local, and multi-jurisdictional task forces as well as federal officers. The Deputy Assistant Secretary for Drug Enforcement Policy and Support should personally present the results of this study to the appropriate congressional committees. In fact, he should seek opportunities to testify as to the program's successes at least once a year.

With the Congress and the President struggling to balance the budget, the DoD's share, like that of all federal departments, is at risk. A substantial reduction in the DoD budget could result in the severe curtailment or possible complete reduction of military counterdrug support to domestic law enforcement. January 1997 may see DoD budget cuts not previously envisioned. The Congress must be made aware of the change in law enforcement's institutional capacity caused by their policy decision in 1989. They must be shown that if they want continued success

in the counterdrug arena, they must provide the necessary funding to allow continued military support at an adequate level. If the Congress does not want to continue with the policy of having the military support law enforcement, they should allow for a gradual reduction in support so that domestic law enforcement has time to adjust to their diminished institutional capacity.

Appendix A, Categories of Support

The 1004 Program for Technologies and Services allows the DoD to furnish support to the DLEA for critical and emergent operational requirements. The support can go to a federal, state, local, or foreign law enforcement agency, and there is a counterdrug nexus. The support must be for a new requirement, that is, one that was not budgeted for by the DLEA in the current year.

The 275 Program is a personnel detail program. It provides for the actual detail of military personnel to a DLEA for two to three years. The use of this program is extremely limited due to the reluctance on the part of the individual services to release their personnel.

The 1208 Equipment Support Program allows for the transfer of excess DoD personal property (as opposed to real property) to the DLEA. There are some restrictions which apply, the most notable of which are: the property must be drawn from existing DoD stocks; there must be a counterdrug nexus; property can only go to federal and state agencies, local agencies must go through their state lead agency; and the Secretary of Defense must confer with the Director of the ONDCP and the Attorney General before transferring major items such as aircraft, ships, armored vehicles, weapons, ammunition, and any items with a hazardous or toxic component. Four regional logistic support offices were established to support this effort.

The DoD also provides personnel and equipment in a direct support role. Most of this support comes from the National Guard in each state, Guam, Puerto Rico, the Virgin Islands, or the District of Columbia, or from active and reserve forces on federal duty. The National Guard support is obtained by the requesting agency contacting the National Guard Counterdrug Coordinator (CDC) of the respective state or territory in which the support is needed.

Federal forces may be requested through the National Guard CDC, through an affiliated HIDTA office, one of the other federal law enforcement coordinating offices, or directly from Joint Task Force Six (JTF-6) headquarters at Fort Bliss near El Paso, Texas. All federal counterdrug support to domestic law enforcement agencies is eventually coordinated through JTF-6.

The DoD direct support may be grouped into four broad categories: technical support, general support, training support, and reconnaissance support. These broad categories can be further subdivided, for example technical support would include linguists, intelligence analysts, operational and investigative case support, communications personnel, and engineer support. General support includes cannabis suppression and eradication support, transportation support, logistical support, cargo inspection, mail inspection, and military working dogs. Training includes mobile training teams and resident school training. Reconnaissance includes both ground and aerial surveillance. More information on each of these categories of support is shown below.

Technical Support

Linguist support. Provides interpreters or personnel to transcribe or translate audio or video tapes, documents, or other information media. Does not include cryptological support, real-time translation of oral or wire intercepts, direct participation in interrogation activities, or the use of counterintelligence assets for counterdrug purposes.

Intelligence analyst support. Assists the DLEA in the establishment of counterdrug intelligence systems/databases or provision of analytical effort to produce intelligence products. Department of Defense personnel will not maintain or store final products in DoD facilities or databases.

Operational/investigative case support. Provides assistance to the DLEA in developing investigations and cases for prosecution. Activities include inputting, reviewing, and analyzing collected DLEA information and providing assistance such as legal, paralegal, and auditing. Operational support to the DLEA is designed to enhance the effectiveness of the supported agency and release law enforcement officers for drug enforcement duties. This category does not include secretarial, janitorial, receptionist assistance, or similar tasks.

Communications support. Provides personnel to establish, operate and maintain communications stations, bases, and equipment, in support of DLEA counterdrug operations.

Engineer support. This includes the engineer efforts shown below in support of activities with a counterdrug nexus. Department of Defense personnel will not take possession of any evidence or materials to be confiscated/destroyed. The supported agency must obtain necessary clearances, court orders, warrants and/or permits for the destruction, removal, disposal, of materials, or other environmental hazards.

a. Technical assessments. Assessments as to the feasibility and cost of performing one of the engineer operations described in paragraph b.

b. Operations. The improvement, repair, or construction of roads, fences, security lighting, bases of operation, training or other facilities, and the destruction of drug use structures.

General Support

Domestic cannabis suppression/eradication operations support. This includes, but is not limited to, aerial support, logistic support, communications support, intelligence, planning support, operational staff coordination, medical, physical security, ground transportation, eradication and destruction of contraband, and spraying of herbicides.

Transportation support. Provides transportation (aerial, ground, or maritime) of DLEA personnel/equipment, persons in an officer's custody, seized property or contraband to, from, or as part of counterdrug operations, or when security or other special circumstances reasonably necessitate DoD support and there is a counterdrug nexus. Department of Defense personnel will not accept responsibility for the security of any evidence or persons transported. May also include ground transportation of youth, adults, and associated equipment and supplies for community/state demand reduction program activities.

- a. Mode. May be by ground, sea, or air, and if air, fixed wing or rotary wing.
- b. Type of movement. May be administrative or controlled delivery.

Logistical support. Provides for maintenance or logistical support of DLEA vehicles and/or equipment to enhance the counterdrug effectiveness of the supported agency and release law enforcement officers for drug enforcement duties. Does not include general maintenance or logistic support of non-counterdrug vehicles or equipment.

Cargo inspection. Assist the DLEA by inspecting cargo. Primary emphasis will be placed on ports of entry and functional equivalents. Cargo inspection includes, vehicles, containers, commercial cargo, aircraft, watercraft, and baggage.

Mail inspection. Assist the DLEA by inspecting mail for presence of illegal drugs.

Military working dogs. The use of any dogs owned by a DoD agency to assist a DLEA.

Training

The training and associated support to training of drug enforcement officers or military personnel in military subjects and skills useful in the conduct of counterdrug operations or in the operation of military equipment used in counterdrug operations. May include:

Mobile training teams. The military goes to the DLEA.

Resident school training. Law enforcement officers go to a military school on a military installation.

Reconnaissance

Ground. The initial detection and reporting of the presence or movement of vehicles, vessels, or persons within surface areas (land and internal waters) and waterways of the U.S. and its territories suspected of illegal drug activities which include, but are not limited to, cultivated marijuana, suspected isolated drug trafficking airstrips, drug drop zones, drug trafficking corridors, illegal drug labs, suspicious aircraft, watercraft, or motor vehicles. Targeting of specific buildings, vehicles, vessels, or persons for surveillance is prohibited. With prior specific approval, targets initially detected may be continuously monitored and reported. Department of Defense personnel will not maintain or store gathered information in DoD facilities or databases; information will be reported as designated by the supported DLEA. Ground categories include:

a. Unattended sensor support. Personnel may support the DLEA in the emplacement, monitoring, and maintenance of unattended sensors in areas where suspected drug activity is occurring.

b. Visual reconnaissance/observation. Observation by mobile patrols and/or listening posts/observation posts using binoculars, cameras, night vision devices, and infrared/thermal imagery, including forward-looking infrared radar or low-light devices. A DLEA response element must be available or in direct contact with the DoD observation element.

c. Ground surveillance radar. Establish and operate ground-based radar sites. Mission includes site security and may require transportation support.

d. Subsurface/diver support. Conduct subsurface inspection of commercial vessel hulls within U.S. territorial waters or U.S. maritime ports of entry through the use of sidescan sonar buoys or divers to detect alien devices or containers attached to the vessel hulls or other underwater activities. This does not include the entry, search, or alteration of features detected.

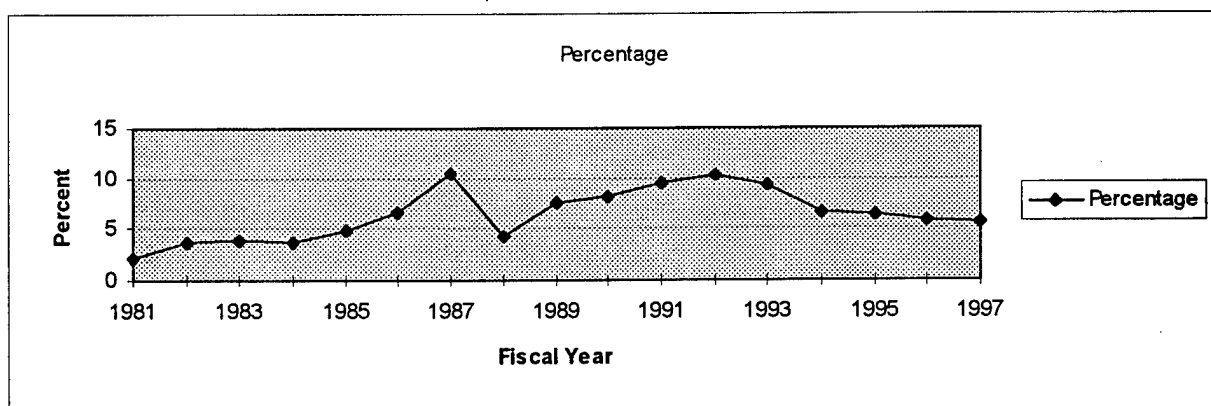
Aerial. The initial detection and reporting, from public airspace, of the presence or movement of vehicles, vessels, or persons within surface areas (land and internal waters and waterways of the U.S. and its territories) suspected of illegal drug activities which include, but are not limited to, cultivated marijuana, suspected isolated drug trafficking airstrips, drug drop zones, drug trafficking corridors, illegal drug labs, suspicious aircraft, watercraft, or motor vehicles. Targeting of specific buildings, vehicles, vessels, or persons for surveillance is prohibited. With prior specific approval, targets initially detected may be continuously monitored and reported. Department of Defense personnel will not maintain or store gathered information in DoD facilities or databases; information will be reported as designated by the supported DLEA.

Aerial categories include:

- a. Radar.
- b. Unmanned aerial vehicles.
- c. Aerial visual: includes infrared/thermal imagery, and photographic reconnaissance.
- d. Photo reconnaissance/film processing.

Appendix B, Counterdrug Budget Data

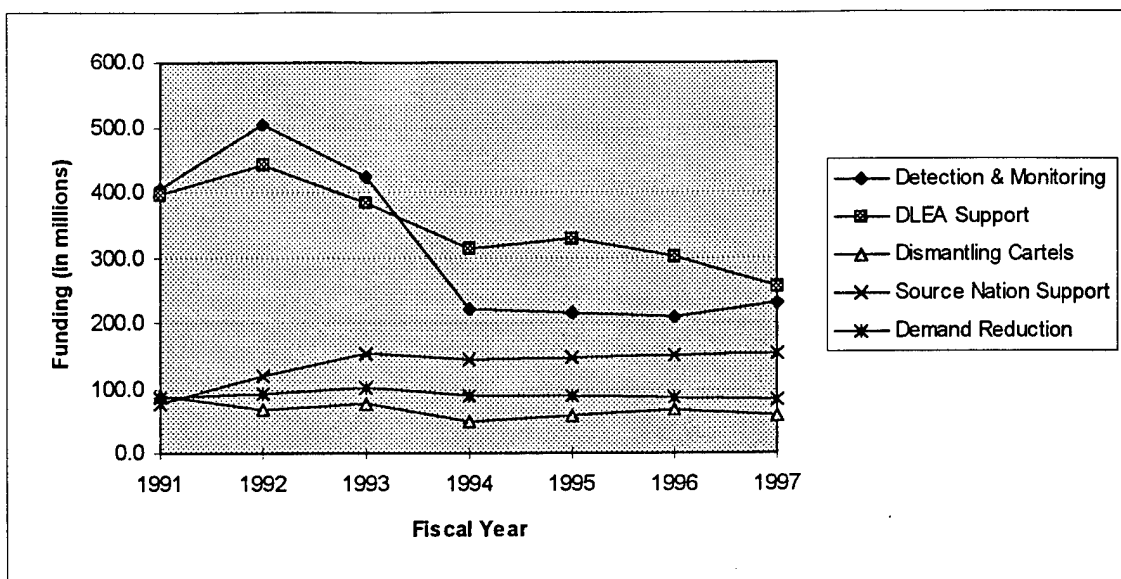
From the ONDCP's budget perspective military support may appear to be of minor consequence. Figure B-1 shows the DoD counterdrug budget as a percent of the total federal drug control budget since 1981. The DoD's share has rarely represented more than 10% of the total federal drug control budget. It has ranged from 2.2% in 1981, up to 10.4% in 1992 and has since steadily decreased to 5.9% in FY96, and is projected to drop to 5.4% in FY97.



Source: ONDCP, 1991; 1992; 1995; 1996b

Figure B-1. DoD counterdrug budget in relation to total counterdrug budget

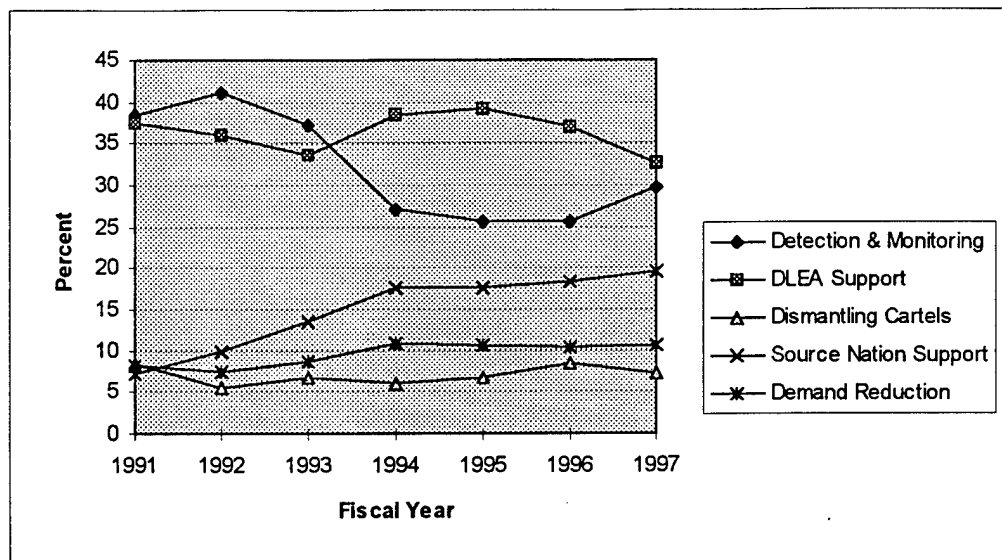
Considering only the DoD budget in relation to the total drug control budget does not fully illustrate how budgetary changes affect law enforcement. The DoD has discretionary authority to allocate funds among its different interest areas, and shifts among these areas can change the amount of support the DLEAs receive. Figure B-2 shows how funding in each area has changed since 1991. Notice the drop in DLEA support between FY93 and FY94.



Source: Thompson, 1996

Figure B-2. DoD funding by area of interest

The ODEP&S apparently tried to temper the drop in support suffered by law enforcement in FY94. Figure B-3 shows the percent change in each DoD area of interest relative to the total DoD counterdrug budget.



Source: Thompson, 1996

Figure B-3. Percent change in DoD support by area of interest

The policymakers at the ODEP&S can look at their office's budget history by function and truthfully say that since FY91 DLEA support has been provided with over one-third of the DoD's counterdrug budget, but the basic fact remains that DLEA support is trending downward. In fact, it is projected to drop to 32.6% of the DoD counterdrug budget in FY97. Fiscal Year 1997 has the potential of becoming the worst year for the DLEA since the DoD began furnishing support. (ONDCP, 1996b).

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Appendix C, Comments From Law Enforcement Officers

This appendix contains a selection of comments from three sources, the Booz-Allen & Hamilton, Inc. (1994) study conducted for the ODEP&S, letters mailed from law enforcement agencies to the National Guard, and from the survey questionnaires returned by law enforcement officers.

The Booz-Allen & Hamilton, Inc. study

[The] DoD also plays a significant role in supporting the NPS in its counterdrug mission. "Without DoD," NPS would have "no helicopter support" for aerial reconnaissance or marijuana eradication. Moreover, there would be "no listening post/observation post missions" that are required to provide intelligence cueing to law enforcement personnel. For all practical purposes, "without DoD, NPS would have to shut down its counterdrug operations." (p. A-11)

[The] DoD engineers build roads "in previously impassable areas" of park land. These "roads are now used jointly by NPS, USCS [U.S. Customs Service], USBP [U.S. Border Patrol], and FBI agents in the detection, monitoring, and interdiction of drug traffickers." (p. A-11)

The FBI states that the "military, those on active duty and those from the Reserves and National Guard, have been a vital force multiplier, and a full partner, in this serious, national effort. They bring unique equipment and personal experience into the equation that the Bureau either does not have, or else does not have enough to meet mission needs." Further, DoD provides more than 20 percent of the translation/transcription capability for the FBI which is used to make drug cases and to target top drug cartel leaders. In addition, the use of DoD's air transportation to effect controlled deliveries of drug-smuggling vehicles has also been invaluable in making cases for the Bureau. Finally, DoD maintenance support has been used effectively to free up agents for direct drug law enforcement operations. (p. A-5)

Letters to the National Guard

December 12, 1991, letter from USBP to Arizona National Guard:

I feel compelled to express to you and your agency my most heartfelt gratitude for the exceptional assistance the Arizona Army National Guard has thus far provided

the Tucson Sector, U.S. Border Patrol. In August of 1990, the Arizona Army National Guard provided this sector with radio communications and automotive repair support personnel to enhance our counter-narcotics efforts. Dedicated, hard-working Guardsmen filled those support positions in Nogales and Douglas which had been previously staffed by Border Patrol Agents; as a result, more trained agents are available for actual interdiction duty. Subsequent, intermittent support you provided in aircraft mechanic assistance and helicopter flights has also been very important to us.

April 26, 1993, letter from Oklahoma State Bureau of Narcotics and Dangerous Drugs to the Oklahoma National Guard:

In reviewing our joint efforts in the field of drug enforcement for the last few years it is evident that without the continued support and assistance from the Oklahoma National Guard this agency and the State as a whole would lose a tremendous asset. Our working relationship has evolved to such an extent that with few exceptions the Oklahoma National Guard is included in our everyday fight against the illicit use of drugs as well as in narcotics trafficking investigations.

March 26, 1992, letter from the Office of the Attorney, Commonwealth of Pennsylvania to The Adjutant General of Pennsylvania:

As you are aware, the Pennsylvania National Guard has been providing substantial assistance and support to the various regional offices of my Bureau of Narcotics Investigation and Drug Control [BNI]. Among the variety of duties they have undertaken are: service as investigative aids [sic], assistance to the Special Agents of BNI, participants in surveillance teams, intelligence support and a myriad of other legitimate functions that free my Special Agents to actively further pending investigations. This support has been invaluable to my office.

Portions of other quotes taken from other letters:

A DEA agent said: "Cases were made because DOD transportation support provided controlled deliveries of drug-carrying vehicles."

Another DEA agent: "At a contractor cost of up to \$33,000 per hour of conversation translated, DOD saved us millions of dollars."

From the FBI: "DOD provides more than 20 percent of the transcription that we do per year."

A Federal Aviation Administration agent said: "National Guard reconnaissance teams allowed us to achieve a 10 to 12 percent hit rate on drug-trafficking aircraft landing at remote sites."

From the USCS: "The National Guard provides support in inspecting 32 percent of all the inbound and outbound cargo containers that we inspect in a year."

Another USCS: "The largest cocaine and heroin seizures ever made in the US were made through the assistance of DOD cargo inspection support."

From the California Department of Justice: "6th Army provided me with the best training I had in my law enforcement career—better than SWAT training. This training saves lives."

Survey Responses

Question 8. This question asked the respondent to assess the effect of military support on the respondent's organization. The comments below represent a sample of the 23 that were entered as written responses.

"Without military support it is doubtful we would have been able to make the largest heroin seizure (1080 lbs) in US history in 1991."

"Best used for intelligence gathering for future operations and bringing together local task forces to work with federal agencies."

"See progression of arrests and seizures for this area."

"I feel that without the intell analyst I would not be able to produce the kind of intelligence product we give to state and local offices."

"The 179 day limit on analysts is cumbersome & inefficient. It also reduces the overall effectiveness of the analyst."

"I completely agree with all of these statements and do not know what we could do without this support."

"We can investigate many more drug cases with the National Guard support. Their assistance is invaluable to our organization."

"As a result of NG support we are able to do more with our resources i.e. better ID targets and codefendants; assets."

"Military OP/LPs & aerial recon has shown that we are experiencing much more illegal border crossing than we had realized, we are using that data to justify requests for more border patrol agents & equipment. (see form for more comments)

"Military support in Alaska is outstanding. If military was not available seizures & arrests would decline."

"Our full-time military staff person allows us to use our investigators in what they are specially trained to do making our task force much more effective and efficient."

"The military support, almost exclusively aerial, has been a significant force multiplier for our task force."

"We could not do our jobs without the support."

Question 10. Respondents were given space to write their comments relating to what areas of military counterdrug support should be given priority funding and whether or not the drug threat to a region should be considered when allocating military support. Twenty-four questionnaires had responses written for this question.

"We should build up the military. We should build up the # [number] of agents."

"I believe that military support should be phased out as quickly as possible and replaced w/law enforcement resources, to incl support personnel such as analysts who are permanent, full-time employees."

"The automation issue is critical-nobody FBI or anyone in law enforcement has adequate resources in this area."

"The threat is everywhere."

"Increase or keep [at same level the] ... amount of helicopter time."

Question 13. Three of the five written responses are shown below.

"..., Augmentation to investigations is beyond words, investigators have more time to channel and keep investigations."

"We are equipment & agent/officer rich but are analyst/support employee poor."

"We have come to depend on military so much, I don't know what we'd do or where we'd find the resources--in some cases, we might not."

Question 18. This question asked who should perform the support role if not the military.

There were 81 responses to this question, 51 indicated law enforcement should be given the funding to do it themselves, seven indicated they had no idea who would do it if not the military, and another seven simply said the military should.

"I have worked in this capacity for 22 years. DEA, FBI, ATF [Bureau of Alcohol, Tobacco and Firearms] and other agencies do not have the dedication that the military does. The military is 'gung ho' unlike other support agencies."

"To my knowledge there isn't anyone else who can support law enforcement."

"No other agency has the manpower, discipline or equipment to lend logistical support."

"Ideally, money should just go directly to law enforcement to do a law enforcement mission. Unfortunately, when more money is allocated to anyone under the umbrella of a 'drug war,' people use it to build their own empires, i.e., task forces, meetings, [etc.]. I think we were winning the war before so many people got involved and [started] duplicating efforts."

"I feel it is our country's best interest for the military to provide [the] support."

"The best situation would be for my agency (FBI) to provide my task force with sufficient analysts so as not to have to rely on the military, however even with more FBI analysts, there would always be sufficient work for military analysts, also."

"Our department would have a very difficult time finding suitable, and qualified alternate assistance that the military presently provides us. It would involve our agency having to depend on receiving more grant monies to hire aircraft support from the private sector."

"No one else has the personnel or training to do this support role. Private support is too expensive and confidential information is not secure."

"U.S. Govt. (federal) law enforcement, i.e. Justice Dept./FBI in other words the military must & should be involved."

"Each individual agency should be given adequate resources, in particular support/analysis manpower resources, to accomplish the identified mission with the military gradually phased out entirely except for a case specific basis."

"Who could is the [question]?"

"Long-term continued commitment w/the disciplined, low cost cadre could only be done, in my opinion, w/the military. Why? Because of the career opportunities w/in the military; because of the length of enlistments; because of the nation-wide resource pool; because of the training capabilities such interface offers to state/local/federal agencies."

"Very difficult to find elsewhere."

"We would have to greatly increase the size of our agency."

"Who would? Who could?"

"No one else will if they don't"

"Good question, I have no answer."

"This is the point, if military ceases their support role, who would?"

"In terms of federal land management agencies; USFS [U.S. Forest Service], BLM [Bureau of Land Management], NPS - no organization could replace the manpower & training available through military units in most cases."

"Too broadly stated, some positions could effectively be filled from the civilian work force. Others require specific training, i.e. military/LE [law enforcement]."

"If the military did not, the only reasonable option would be more law enforcement personnel and that will not happen in the vast majority of agencies."

"Ideally local law enf. should be adequately funded to do it - but realistically this will probably never happen."

"If the money was split among too many agencies its effectiveness would be lost."

"Military should support & take a greater role in illegal aliens smuggling drugs."

"No other viable group outside law enforcement who could provide the assistance. Law enforcement would have to provide own support at drastically lower levels."

Question 19. This question asked the respondent to comment on how his or her agency would be affected by the loss of military support. There were 75 responses.

"Greatly hamper the number of investigations in the field."

"Greatly diminish capacity for conducting large scale, long term narcotics investigations (i.e. those requiring high level technical support and manpower intensive operations)."

"Case[load] will go down, complexity of cases will decrease, i.e. less agents out on the street!"

"Reduced patrol activity, more open illegal fossil collection; with military overflights violators had quit stealing fossils in this area."

"We would have less aerial observation support in our eradication efforts in our indoor/outdoor marijuana operations and/or narcotic drug investigations where aerial surveillance would be involved (eg - controlled deliveries, undercover purchases, etc.) The loss of military support will definitely hamper our eradication efforts."

"Reduction in marijuana eradication efforts."

"The number of investigations and infrequent [number of] convictions would drop."

"Fewer cargo inspections, often less intensive and less intelligence/analysis of info[rmation] prior to picking targets."

"Marijuana eradication activities and effectiveness will be dramatically reduced."

"Duties performed by military would have to be assigned to law enforcement officer which would impact investigative mission."

"Our narcotics interdiction program would be eliminated."

"Loss of intelligence gathering capability & the possibility of endangering personnel by not being able to recon the area surrounding remote airfields."

"Affected drastically since this 'unit' was incepted operations have been stream-lined, not to 'boast' but this unit is 'cutting edge.' NE [Nebraska] is starting to implement what this unit has done and been doing for the last two years."

"Loss of efficiency & speed in investigation; loss of valuable intel."

"It would take away expertise that is vital to our mission, goals & objectives. I know that we could not operate nor be as effective and efficient as we are currently."

"Do not have the manpower in our agency to safely cover the cases."

"Little or no aerial cannabis flights will be accomplished over national forest lands."

"The ability to undertake long term investigations will be curtailed."

"We will have to depend more on our own agents to fill in manpower needs. We will have to increase our budget, which isn't likely, to offset the losses."

"If I lost the military support in the division I would be in serious trouble meeting my responsibility to the citizens of this country."

"Greatly. We utilize ground and air support in our efforts to reduce drug labs. We also utilize NG intelligence specialists on a day-to-day basis."

"No flights (no air support)."

"Will cut back efforts."

"Greatly, the military support especially for surveillance allows my officers to perform other duties during long term investigations. The military support is a definite manpower multiplier."

"Detectives are now required to conduct their own intelligence gathering. This is time consuming and delays the investigation."

"Will impact negatively on our ability to address Southwest Border trafficking organizations."

"I'd have to hike all over God's creation myself! Decrease in funds to provide aviation assets for our missions, need aviation support, i.e., light observation helicopters, aerial photography."

"Greatly decrease our effectiveness in certain areas of enforcement."

"Greatly-no funds to buy our own support that they provide to us."

"We would lose valuable 'eyes & ears' & intel support."

"Military support permits more investigative time by taking care non-enf[orcement] duties routinely taken care by drug investigators."

"Our manpower & hours will be reduced by local agencies needing to use its own limited resources."

"Reduced narcotics interdiction capabilities."

"Some analytical functions would have to be assumed by sworn officers."

"Many more domestic cannabis gardens will be cultivated by the growers, many more smugglers will use the forest as a trafficking corridor."

"[As a result of losing military support], my office has had to stop doing national security level, major organized crime case support to a 10-state region. Also have had to stop work on an Attorney General--directed national security border project coord. [coordinated] by Pentagon personnel."

"Reduced efficiency."

"Our outdoor cannabis suppression will become a fraction of current levels. Our surveillance (mobile) will be much less effective without the available air support."

"It will create a huge void in our organization."

"It would reduce our capabilities, reduce our successes and increase officer safety issues."

"One very large step backwards in technology. Officers removed from investigative positions to provide support. Increases in training budgets."

"Dramatically. The Border Patrol in San Diego has an habitual relationship w/Natl Guard personnel who perform a wide variety of support roles."

"Intell function would be decreased."

"We could not replace the analysis support received from the IANG [Iowa National Guard]."

"Loss of aerial support would be critical. Reconnaissance is vital to our operations."

"This would greatly inhibit our counterdrug program."

Question 20. This was the last question on the survey and gave the respondents an opportunity to make personal comments about military support. There were 102 responses.

"The relationship between the PA State Police and the PA NG [National Guard] has been one of mutual respect and cooperation. The training, attitude and enthusiasm of NG members as well as their dedication to duty and mission, has greatly enhanced the ability of the PA State Police to accomplish our goals and objectives."

"Without the aerial reconnaissance support provided by the NG, we would have to conduct ground reconnaissance. This takes massive personnel resources which would be impractical to utilize because only a very limited area could be checked."

"It would be nice to have consistent military funding so we could rely on them from year to year. Right now - we just do not know what funding they will have each year."

"The military's role is critical! We can't do an adequate job without their support."

"Our T.F.[task force] is very fortunate to have military analysts support and is housed in an off site facility provided by the Army."

"The price of operations go up each year yet there is no increase of funding. The military support is a must to continue the DCE/SP [Domestic Cannabis Eradication/Suppression Program] as an enforcement activity. The military has no increase and the loss of the current 'Huey' helicopters are a major concern. The 'blackhawks' require larger landing zones & more blade time."

"Make it easier [to obtain]."

"To achieve any success in the war on drugs the military must be involved and provide willing, enthusiastic support."

"The services, equipment & support the military provides are invaluable and our team would not have the success it enjoys without the military. In day to day operations military personnel are vital to our mission and could not be replaced."

"We have had very good support and response."

"Need more funds for aerial detection. More helicopters [are needed]."

"Extremely pleased with support received and certainly hope for continued support. FBI & DEA have failed in most aspects of support. The military bridges that gap."

"I believe that the military has to [cannot read word] its allocation of resources to put them where they are most needed. I realize that the border is a priority but the mid-west has a serious meth [methamphetamine] problem that is going to get worse if we don't come up with, training resource, chemists, lawyers, communications people, as well as s/p's [support persons]."

"They have done a great job in supporting our state. Without their help law enforcement agencies would be in serious financial trouble."

"I have been very impressed with the professionalism of National Guard personnel assigned to the FBI. Good analytical ability."

"Their role has been helpful. However, it seems to be time consuming to use ground assets (troops) because the military doesn't conform well to changing aspects of law enforcement. Intel product sometimes is not useful as it's in a form useful to military not law enforcement. Military seem to want to re-invent everything. Aviation support has been great - need OH-58's & Huey's. Stop getting rid of small helicopters!"

"It's great, need more of it."

"I have received nothing but professional performance out of the Natl Guard unit. Their unit has been invaluable to my organization & our drug enforcement efforts. Special thanks to all concerned!"

"If law enforcement is to obtain an upper hand on the drug enforcement problem then it will continue to require assets from the military. We must ... implement a war on the drug problem. We can not [sic] do it without DoD support.

"The military are very vital in our marijuana eradication/enforcement efforts. The military personnel used for air reconnaissance/observation missions are very qualified and sincere in their efforts in providing whatever assistance is needed. Our agency is very satisfied with the cooperation we have received from the military in their support of these joint efforts."

"The military missions (overflights & training) provide quality experience and training opportunities for military personnel-military instructors provide first class instruction, based on experience which is very valuable to law enforcement personnel-the military should not take a hands on profile in law enforcement though."

"Military support has been excellent. Personnel involved have been committed, dedicated to hard work in support of our mission and proven to be a highly valuable asset."

"The FBI greatly appreciates the efforts of both JTF-6 & the NG to support the overall mission of the agency; however, this method is both inefficient and of limited effectiveness. It would be better to have long-term, permanent resources available within each Title 21 law enforcement agency."

"We are absolutely dependent on the military support we receive. The only problem we have is that we do not get the levels we once got. We need more full time and summer eradication support. We had projected needs that have been eliminated due to funding constraints. There needs to be more stability to the personnel assigned as they frequently leave the program for permanent jobs, after undergoing specialized training needed for support."

"The National Guard has been very responsive to our needs. It does seem that DoD is confused on what they really want to do. The Guard support is not a sure thing, which causes many agencies to avoid requesting Guard support. DoD should stabilize the program so that law enforcement can commit its resources in the most effective way. Not knowing what DoD is going to do each year is a serious detriment to law enforcement. Please keep up the great work"

"With some prior planning/notice, military support can be critical in the success or failure of some law enforcement counterdrug missions. The military's usual 'Can Do' attitude is an important element in getting the job done!"

"The military is able to provide long-term disciplined individuals to a variety of enforcement activities which are not currently being done as regularly as they should; specifically, surveillance, other contributing support would be intel collection, dissemination, to include forecasting trends or futuristics whichever buzz word works. This could be done w/a minimum amount of training and cost to LEA's."

"They have a large supply of equipment & resources that greatly effect [sic] our combatting the drug trade. Without this support we would be greatly disadvantaged in our struggle to combat drug trafficking & use."

"I am the leader of the Law Enforcement Coordination Center (LECC) of the Imperial Valley Project. We work very closely with JTF-6 & the CA Nat'l Guard & 14 fed, state & local agencies, working with the military. The military LP/OPs are the 'eyes & ears' of many operations & it has shown us just how short of 'hands & feet' (i.e., Agents) we are. The LP/OPs see many more targets than we can respond to."

"The military support to law enforcement has always been of vital importance to my county/state."

"More National Guard support could only enhance drug law enforcement's efforts."

"Military has always found a way to respond to our needs. From paperwork; to surveillance/recon; to air support. More law enforcement is the only alternative."

"I feel strongly that intel analysts made available at the county level would be very beneficial. If you had one available I could put him to work handling our intell."

"The military has much needed resource assets. Bases, air transportation & engineer support are much needed. Make counterdrug support permanent and make a positive difference."

"It's the secret to success."

"If the military was to have its funding decreased or stopped for law enforcement, our agency would not be able to operate a sufficient marijuana eradication program. Military support is absolutely essential to our efforts."

"The Oklahoma DCE/SP program would not be successful without air support. This support would not be able to be funded by DEA to lease helicopters to do the many different missions that the military (National Guard) now furnishes."

"Military support in Alaska is well organized and valuable to Alaska law enforcement. Alaska enforcement agencies have a very good rapport with the military. The wide variety of support provided could not be fully replaced if it was cut."

"The military support I have experienced has always been prompt, professional and vital. I feel the program in which the military provides support and assistance to law enforcement is one of the best ideas to come out of Washington, D.C. In the state of Utah, we could not effectively conduct the DCE/SP program without military support. We greatly appreciated it."

"I believe that the military is doing the most that they can, without going over the line, military should be given more power/leeway to help state/federal law enforcement agencies."

"Military aviation assets provide support that is unavailable in contract aviation. The combination of equipment, military personnel training, and available air bases is essential for success."

"National Guard intell analysts support to law enforcement generally works out better than JTF-6 support due to longer term commitments NG is one year and renewable, JTF6 is only 6 months-for a mission. Replacing personnel this frequently is inefficient - - ."

"Please, work to keep them doing the fine job they have done for us. It does help our local fight against drug trafficking."

"LINT has been provided with a National Guard, full time office coordinator-stat[istics] keeper. Without his assistance the duties of LINT detectives would be diminished because of the additional office work associated."

"The intelligence analyst support we receive is outstanding, and gives the soldiers a chance to utilize their unique skills on real world situations. It is a 'win-win' for law enforcement and the military."

"Our crime analyst has been an excellent addition to our Drug Task Force, and his expertise would be hard to replace."

"The support is invaluable."

"The military continues to be an excellent ally with law enforcement on what may be the single greatest threat to national security."

"I feel so strongly about the need for military support I have included this concern in testimony I gave to the House Judiciary Committee - Subcommittee on Crime and in meeting with our governor."

"The military has been great to work with. The impact of less funding would greatly impact our state."

"NG takes great pains to provide high quality personnel. We are a great team! GSCI should be an object lesson in DoD/LEA collaboration, as well as Federal, State & local cooperation. The 3 centers figure prominently in our HIDTA proposal as does analytical & translation support."

"The support we have received has been extremely beneficial."

"It has been helpful, but I have questions about military involvement in law enforcement."

"I feel it needs to be broadened to include organized crime & alien smuggling issues, which are inter-related with drugs."

"The military plays a key role in making our counterdrug program successful."

"The National Guard has significantly enhanced our ability to detect and interdict both prohibited substances and illegally imported/exported 'narco dollars' associated with drug smuggling activities."

Appendix D, Survey Methodology and Instrument

Survey Methodology

At the start of this research, there was limited data available on how drug law enforcement officers at the operational level felt about the support they receive from the military. It was decided that the best way to collect this data was to survey law enforcement as to their opinions. Much attention was given to the development of a reliable and valid survey as defined by Kirk and Miller (1986). Fowler's (1993) chapter on sampling was reviewed prior to attempting the design of a sample frame.

Initially, the plan was to use the National Guard's Counterdrug database for FY95 combined with and a list of agencies supported by JTF-6 during the same period to draw a systematic sample. Also considered was the stratification of the sample in order to draw a proportional representation of federal, state, and local agencies. After the sample was drawn, it was found to contain many duplicate entries, some obvious and some not so obvious. After further review of the data, it became apparent that all duplicates could not be identified, and there was a high possibility that the same activity would receive more than one survey.

When the FY95 data was collected, there was no consistency in the way the states, territories, and the District of Columbia (hereafter referred to as states) reported the agencies they supported. Some states, because of an agreement with the state's lead law enforcement agency, only reported the lead agency as a supported agency. This generally occurred when all local and county agencies made their requests for support through the lead agency. Additionally, each time the Guard performed a mission for a particular agency, it was entered into the database as a separate mission. There is a field in the database called "Location", and an attempt was made to

use it as a discriminator in drawing a systematic sample. After consulting with statistics professor Dr. Gabriella Belli at Virginia Tech, this approach was abandoned.

Fowler (1993) in listing the advantages and disadvantages of different data collection modes states that self-administered data collection techniques require special efforts in the design of the survey instrument. The design of the questionnaire for the survey took four months and thirteen revisions. The design process started with the collection of information from military personnel experienced in the counterdrug support arena. After numerous revisions the survey instrument was taken to the field and shown to three different law enforcement officers and military counterdrug support personnel in two different states. After the field review, the questionnaire was again revised and sent to three federal, three state, and one local officer for a pre-test. After the pre-tested questionnaires were returned, a final revision was made, and the questionnaires were mailed with a cover letter explaining the purpose of the survey.

The method chosen to draw the sample was to send a request to the National Guard Counterdrug Coordinator in every state asking each to furnish the agency name, address, and a point of contact for those agencies receiving counterdrug support in FY95. The JTF-6 data was eliminated from the procedure to reduce the chance of sending multiple surveys to the same recipient. Seventeen states and Guam responded to the request by furnishing the names of 185 law enforcement officers. The states responding to the request represented seven coastal or border states, two of which were part of the original five states with HIDTAs. Three additional requests were made to the non-responding states, but no additional responses were forthcoming. Although the original plan was to send questionnaires to officers in all the states, time constraints prevented pursuing additional names and addresses. However, another six officers agreed to

pre-test the survey, and forty-eight responded to the questionnaire at a conference in March. This brought the total number of officers exposed to the questionnaire to 239.

The address lists used were supplied in a predefined Microsoft Access database structure, which was merged into one large database. To insure which candidates did not respond, we decided to assign each address a code number. This number was going to be placed in the address labels, showing as a stop in the mail cycle. A quick dBase III program created a field of record numbers starting with 4000, increasing by one each time. This database was then imported into Access and cut and pasted into the addressee file.

Next, selected fields from the Access file were exported to a dBase III database, and a record was created for every survey recipient. The four records consisted of the addressee information and three records showing the return address with the address stop code. The three were designed for the return address on the outgoing survey, the return address on the reply, and the sending address for the reply. The logic behind this process was that by having the stop code on all labels showing the survey return address, the respondents would have no indication that their responses were being monitored.

The next step was to develop a collection form and perform data entry. Using Clipper, a program that uses dBase structure and logic but produces an executable program code, an entry form was created. Three individuals participated in data input. To validate the data, each survey instrument was entered twice with a different person performing each entry operation. The duplications were placed in separate data files, and a Clipper program was written to compare the data files, produce a separate file in which suspect errors were coded as a question mark, and then produce another file showing which fields in which records were suspect. A dBase program was

used to pull up the fields in question from each file and provide a single input point to verify the correct information and correct the appropriate records. When all suspect fields were correct, the comparison program was rerun to verify the correction. The verified database was then imported into an Excel spreadsheet for analysis.

Characteristics of Survey Respondents

The 124 survey respondents were classified by agency level, state, participation in a HIDTA, and response cohort. Overall, most of the respondents represented federal law enforcement (n=54), followed by local (n=28), state (n=21) and multi-jurisdictional forces (n=18). The Drug Enforcement Administration was the most frequent federal respondent (n=27). There were 3 responses classified as 'Other' agencies.

Data were collected from participants at a Western Regional Marijuana Conference (n=48) and through mail surveys (n=76). Twenty-five states were represented. California, Hawaii and Oregon accounted for a total of 58 responses, due in part to the data collection at the regional conference. There were 31 responses from HIDTA states; the remaining 93 responses were from non-HIDTA areas.

Faults With The Survey Instrument

Question 5 was not used because it was apparent from the responses that the term "total incidents of support" had no meaning to the majority of the respondents. In more than one instance, a person assigned to an agency for six months was counted as 180 incidents of support instead of one instance. This question was changed after the pre-test in an attempt to make it more understandable.

Question 6: Several respondents placed check marks in all columns instead of using the numeric scale. This occurred in one instance on the pre-test. The instruction “(Use scales from above)” was placed in bold at the top of the columns to reduce the chances of the same error occurring on many questionnaires. There were enough correct responses to allow the question to be used.

Question 12: There was no analysis required of this question as it was a device to cause the respondent to either answer question 13 or skip to question 14.

Survey Questions

April 5, 1996

The following questions pertain to domestic counterdrug support furnished to your organization by agencies of the Department of Defense. In this document, the word "military" refers to all military services and components, i.e., active, National Guard, and reserve. All questions relate to support received between October 1, 1994, and September 30, 1995. If you do not have an opinion, or if a response is not applicable to your organization, place "n/a" in the response block.

1. Which best fits the description of your organization:

- ☐ State police or investigation bureau (Go to question #3)
- ☐ Federal agency (Go to question #2)
- ☐ Local police or sheriff department (Go to question #3)
- ☐ Multi-jurisdictional task force (Go to question #3)
- ☐ Other _____ (Go to question #3)

2. Please identify which federal agency:

- | | |
|--|---|
| <input type="checkbox"/> Bureau of Alcohol, Tobacco & Firearms | <input type="checkbox"/> US Customs Service (OI) |
| <input type="checkbox"/> Bureau of Indian Affairs | <input type="checkbox"/> US Customs Service (I&C) |
| <input type="checkbox"/> Bureau of Land Management | <input type="checkbox"/> US Fish & Wildlife Service |
| <input type="checkbox"/> Drug Enforcement Administration | <input type="checkbox"/> US Forest Service |
| <input type="checkbox"/> Federal Aviation Administration | <input type="checkbox"/> US Park Service |
| <input type="checkbox"/> Federal Bureau of Investigation | <input type="checkbox"/> US Postal Service |
| <input type="checkbox"/> Immigration & Naturalization Service | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> US Border Patrol | |

3. In what state is your office located? (two-character state abbreviation) ____

4. Does your organization operate in a High Intensity Drug Trafficking Area (HIDTA)?
____ Yes ____ No

5. Please indicate the total incidents of support your organization received from the military during the survey period. (For example, if you use a translator on one operation and an intelligence analyst, ground reconnaissance personnel, and aerial reconnaissance were all used in another operation, you have four total incidents of support.) _____

6. For each category of support listed at the bottom of this page and the top of page 3, select the most appropriate response on the scale shown for each column. Please enter a response in each column for each category.

Column A: Importance of military support to your organization.

1	2	3	4	5
Extremely difficult to obtain elsewhere	Difficult to obtain elsewhere	Borderline difficulty obtaining elsewhere	Fairly easy to obtain elsewhere	Readily obtainable elsewhere

Column B: Value of military support to your organization.

1	2	3	4	5
Extremely valuable	Quite valuable	Moderately valuable	Slightly valuable	No value

Column C: Response of military support to your organization, i.e., when requesting support, how often do you actually get the support requested?

1	2	3	4	5
Always	Frequently	Sometimes	Seldom	Rarely

	Not Used	A Importance (Use scales from above)	B Value	C Response
a. Linguists/translators	_____	_____	_____	_____
b. Intelligence analysts	_____	_____	_____	_____
c. Operational/investigative case support	_____	_____	_____	_____
d. Communications support	_____	_____	_____	_____
e. Engineer support	_____	_____	_____	_____

If you do not have an opinion, or if a response is not applicable to your organization, place "n/a" in the response block.

Question # 6 continued from preceding page.

Not A B C
Used Importance Value Response
(Use scales from preceding page)

f. Cannabis suppression/eradication	_____	_____	_____	_____
g. Controlled deliveries	_____	_____	_____	_____
h. General transportation	_____	_____	_____	_____
i. Logistical support	_____	_____	_____	_____
j. Cargo inspection	_____	_____	_____	_____
k. Mail inspection	_____	_____	_____	_____
l. Military working dogs	_____	_____	_____	_____
m. Mobile training teams	_____	_____	_____	_____
n. Resident school training	_____	_____	_____	_____
o. Unattended sensors	_____	_____	_____	_____
p. Ground reconnaissance and/or observation teams	_____	_____	_____	_____
q. Ground surveillance radar	_____	_____	_____	_____
r. Subsurface/diver support	_____	_____	_____	_____
s. Aerial reconnaissance/observation	_____	_____	_____	_____
t. Air tracking radar	_____	_____	_____	_____
u. Unmanned aerial vehicles	_____	_____	_____	_____
v. Infrared/thermal imagery or aerial photography	_____	_____	_____	_____
w. Aerial photo processing	_____	_____	_____	_____

If you do not have an opinion, or if a response is not applicable to your organization, place "n/a" in the response block.

7. Do you believe your organization has benefited from receiving military support?

___ Yes (Go to question #8)

___ No (Go to question #9)

8. Use the scale shown below to indicate your agreement or disagreement with the statements as they relate to the effect of military support on your organization.

1	2	3	4	5
Decidedly agree	Moderately agree	Neither agree nor disagree	Moderately disagree	Decidedly disagree

___ The organization is able to accomplish more using less internal resources.

___ There has been an increase in arrest and seizure statistics in the organization, which is attributable to military support.

___ There is increased efficiency of investigative personnel in the organization on those investigations where military support is used.

___ There is an increased number of investigative matters being handled per investigator in the organization.

Other (explain) _____

9. Has your organization's budget changed because of military support? (Please use the scale shown to respond.) _____

<-----Decreased No Change Increased----->

1	2	3	4	5
Faster than expected	Slower than expected	No Change	Slower than expected	Faster than expected

If you do not have an opinion, or if a response is not applicable to your organization, place "n/a" in the response block.

10. Using the scale shown, please indicate your agreement or disagreement with the following statements.

1	2	3	4	5
Decidedly agree	Moderately agree	Neither agree nor disagree	Moderately disagree	Decidedly disagree

_____ The military should allocate more funding for personnel, e.g., intelligence analysts, translators, and reconnaissance teams.

_____ The military should allocate more funding to the purchase of special equipment that is not part of its national defense mission, e.g., modification to organic helicopters such as searchlights, infrared devices and law enforcement compatible radios; fixed-wing aircraft for aerial transport and aerial photography; and light armored vehicles.

_____ The military should allocate more funding to technology improvements, e.g., automation and information systems support.

_____ The military should make more military equipment available to law enforcement.

_____ The military should consider the drug threat to a particular region when allocating resources to domestic support.

Other (explain) _____

11. If the support your organization receives from the military were to be stopped, does your organization have internal resources to draw on for obtaining similar support?

___ Yes (Go to question #12)

___ No (Go to question #14)

12. If your organization uses other internal means for obtaining similar support, will its mission effectiveness be reduced in other areas?

___ Yes (Go to question #13)

___ No (Go to question #14)

If you do not have an opinion, or if a response is not applicable to your organization, place "n/a" in the response block.

13. Using the scale shown, please indicate your agreement or disagreement with the following statements.

1	2	3	4	5
---	---	---	---	---

Decidedly agree	Moderately agree	Neither agree nor disagree	Moderately disagree	Decidedly disagree
----------------------------	-----------------------------	---	--------------------------------	-------------------------------

_____ Some sworn officers/investigators will have to perform support duties instead of conducting investigations.

_____ There will be fewer support personnel available to analyze records of suspected criminal activity.

_____ Language translation capabilities will be reduced.

_____ The organization does not have the equipment that the military can provide.

Other (explain) _____

14. Using the scale shown, please indicate your agreement or disagreement with the following statements.

1	2	3	4	5
Decidedly agree	Moderately agree	Neither agree nor disagree	Moderately disagree	Decidedly disagree

_____ The military does a good job supporting my organization.

_____ Military aviation support is preferred to contract aviation support.

_____ The procedures for requesting and obtaining military support are so involved it is hardly worth the effort.

_____ Military personnel providing support have a good attitude and take pride in their work.

If you do not have an opinion, or if a response is not applicable to your organization, place "n/a" in the response block.
Question #14 continued from preceding page.

_____ For the most part, military personnel providing support are not trained to provide the type of support my organization needs.

_____ The military often attempts to take over an operation instead of merely providing support.

_____ If funds were available, my organization would prefer to obtain support from someone other than the military.

_____ The military is efficient in its support to domestic drug law enforcement agencies.

_____ The military provides the kinds of support that domestic drug law enforcement agencies need.

_____ The military is too aggressive in their support to domestic drug law enforcement agencies.

15. Do you believe the military should provide support to domestic law enforcement agencies?

____ Yes (Go to question #16)

____ No (Go to question #18)

16. From the scale below, indicate the action Congress should take regarding funding it provides to the Department of Defense for military support to domestic law enforcement agencies. _____

	1	2	3	4	5
	Greatly	Somewhat	Keep funding	Somewhat	
Greatly	increase funding	increase funding	about the same	decrease funding	decrease funding

If you do not have an opinion, or if a response is not applicable to your organization, place "n/a" in the response block.

17. Congress should consider military support to domestic law enforcement agencies as a long-term commitment. _____

1	2	3	4	5
Decidedly agree	Moderately agree	Neutral	Moderately disagree	Decidedly disagree

18. If the military should not perform this support role, who should?

19. How will your agency be affected by the loss of military support?

20. Please add any personal comments you may wish to make about the military's role in support of domestic law enforcement agencies.

Thank you for taking the time to answer this survey.

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Appendix E, List of Abbreviations

AWACS	Airborne Warning And Control System
CDC	Counterdrug Coordinator
DCE/SP	Domestic Cannabis Eradication/Suppression Program
DEA	Drug Enforcement Administration
DLEA	Drug Law Enforcement Agency
FBI	Federal Bureau of Investigation
FORSCOM	U.S. Army Forces Command
FY	Fiscal Year
FY89 Act	National Defense Authorization Act of 1989
HIDTA	High Intensity Drug Trafficking Area
JTF-6	Joint Task Force Six
NGB-CD	National Guard Bureau Counterdrug Directorate
NPS	National Park Service
ODEP&S	Office of Drug Enforcement Policy and Support
ONDCP	Office of National Drug Control Policy
PCA	Posse Comitatus Act
RAID	Reconnaissance and Interdiction Detachment
USBP	U.S. Border Patrol
USC	United States Code
USCS	U.S. Customs Service

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